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JOURNALS

OF THE

FIRST SESSION

OF THE

General Assembly

OF THE

STATE OF ARKANSAS,

BEGUN AND HELD AT THE CITY OF LITTLE ROCK, IN SAID STATE, ON THE TWELFTH DAY OF SEPTEMBER, IN THE YEAR OF CHRIST ONE THOUSAND EIGHT HUNDRED AND THIRTY-SIX, AND OF THE INDEPENDENCE OF THE UNITED STATES OF AMERICA THE SIXTY-SECOND.

LITTLE ROCK:

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JOURNAL

OF THE

PROCEEDINGS OF THE SENATE,

At the First Session of the General Assembly of the State of Arkansas, begun and held at the State House in the town of Little Rock, on Monday the 12th day of September, in the year of our Lord eighteen hundred and thirty-six, and of American Independence the sixty-second.

A quorum of the members having convened in the Senate chamber, on motion of Mr. Ringgold, *Mr. McCamy* was called to the chair, and Mr. *Greer* appointed Secretary *pro tempore*.

The *President* having called the House to order, the following members came forward, presented their credentials, were duly qualified, and took their seats, to wit: From the counties of

Sevier and Miller,	*Joseph W. McKean.*
Hempstead and Lafayette,	*George Hill.*
Pike, Clark, and Hot Spring,	*A. E. Thornton.*
Pulaski, White, and Saline,	
Arkansas and Jefferson,	*Sam C. Roane.*
St. Francis and Greene,	*Mark W. Izard.*
Phillips and Monroe,	*James Martin.*
Lawrence and Randolph,	*Robert Smith.*
Carroll, Searcy, and Izard,	*Charles R. Saunders.*
Washington,	*W. McK. Ball and R. McCamy.*
Independence and Jackson,	*John Ringgold.*
Crawford and Scott,	*R. C. S. Brown.*
Conway and Van Buren,	*Amos Kuykendall.*
Johnson and Pope,	*John Williamson.*
Chicot and Union,	*John Clark.*
Crittenden and Mississippi,	*W. D. Fergusou.*

On motion of Mr. *Ferguson*, SAM C. ROANE was nominated as a candidate for the office of President of the Senate, and there being no opposition, was declared duly elected, conducted to the chair, and entered upon the duties of his office.

On motion of Mr. *Ball*, ANDREW J. GREER was nominated as a candidate for Secretary of the Senate; and there being no opposition, he was declared elected, was duly qualified, and entered upon the discharge of the duties of his office.

For assistant Secretary, Mr. *McKean* nominated James Scull, and Mr. *Saunders* nominated H. Haralson. The roll being called, the following was ascertained to be the result:

Those who voted for Mr. Scull, were Messrs. Clark, Ferguson, Hill, Izard, Martin, McKean, Ringgold, Roane, and Smith, making 9 votes.

Those who voted for Mr. Harralson, were Messrs. Ball, Brown, Kuykendall, McCamy, Saunders, Thornton, and Williamson, making seven votes.

Mr. SCULL, having received a majority of all the members present, was declared elected, was duly qualified, took his seat, and entered upon the discharge of the duties of his office.

On motion, the Senate then went into the election of door-keeper, and Mr. Ball nominated John McLehany, and Mr. Ferguson nominated David S. Jenkins. The roll having been called, the following was announced as the result:

Those who voted for Mr. McLehany were Messrs. Ball, Brown, Hill, Izard, Kuykendall, McCamy, McKean, Saunders, Smith, Thornton, Williamson, and Mr. President, making 12 votes.

Those who voted for Mr. Jenkins, were Messrs. Ferguson, Martin, and Ringgold, making 3 votes.

It being announced by the President that Mr. McLehany had received a majority of all the votes present, he was declared elected, was duly qualified, and entered upon the discharge of the duties of his office.

On motion of Mr. *Izard*, it is ordered that the Secretary furnish the Senate with a sufficiency of chairs, tables, stationery, and other necessary articles, by 10 o'clock to-morrow.

On motion of Mr. *McKean*, it is ordered that the House of Representatives be informed that the senate is now organized and ready to proceed to business. Mr. Izard was accordingly appointed to deliver the message.

On motion of Mr. *Clark*, the Senate then took a recess for half an hour.

At the expiration of half an hour, the Senate again convened, were called to order, and on motion of Mr. *Izard*, adjourned until 3 o'clock this evening.

At 3 o'clock the Senate again convened, and proceeded to the despatch of business.

The following message from the House of Representatives was presented by Mr. Caldwell:

Mr. President—I am instructed to inform your honorable body, that the House of Representatives have organized themselves by electing John Wilson, Speaker; Saml. Hempstead, principal Clerk, and Alexander H. McKissick, assistant Clerk, and Jesse Morton, door-keeper, and are now ready to proceed to business.

On motion of Mr. *Brown*, the following resolution was adopted, to wit:

Resolved, That the Senate appoint a committee to act jointly with such committee as may be appointed on the part of the House of Representatives, to call on Governor Fulton, and inform him that the two houses of the General Assembly of the State of Arkansas, have met and formed a quorum, and are now ready to enter upon the discharge

of the duties of their respective houses, and are farthermore ready to receive any communication that he may feel it his duty to make, and that the House of Representatives be informed thereof.

Mr. *Brown* was accordingly appointed to deliver a message in accordance with the foregoing resolution.

The following message from the House of Representatives, was presented by Mr. Logan, to wit:

Mr. President—I am instructed to inform the Senate, that the House of Representatives have unanimously adopted the rules of the last session, and that they ask the concurrence of the Senate thereto.

On motion of Mr. *Smith*, the foregoing resolution was concurred with.

On motion of Mr. *Brown*, the following resolution was adopted, to wit:

Resolved, That all the editors of newspapers of Little Rock, be permitted within the bar.

On motion of Mr. *Ball*, it was

Resolved, That the President of the Senate appoint the following standing committees, to wit: Judiciary, Ways and Means, Election, Militia.

On motion of Mr. *Brown*, the following resolution was adopted, to wit:

Resolved, That the Senate appoint a committee to report rules and regulations for the government of the Senate during their present session of this General Assembly; and Messrs. Brown, Clark, and Ringgold, were accordingly appointed said committee.

The following message from the House of Representatives was presented by Mr. Teevault, to wit:

Mr. President—I am instructed to inform the Senate, that a committee, consisting of Messrs. Dickinson, Drennen, and Caldwell, have been appointed on the part of the House, to join any committee that may be appointed on the part of the Senate, to wait upon the Governor, and inform him that the two Houses are now organized, and ready to receive any communication that he may make.

On motion of Mr. *Brown*, the Senate concurred in the foregoing resolution, and Mr. Brown was instructed to inform the House of Representatives thereof, and that Mr. Brown, Mr. Hill, and Mr. Izard, were appointed said committee on behalf of the Senate.

The following message from the House of Representatives, was presented by Mr. Tully, to wit:

Mr. President—I am instructed to inform your honorable body, that the House of Representatives have passed a resolution, fixing 4 o'clock to-day as the hour for opening the returns from the different counties, for Governor, and they request the attendance of the Senate thereto.

On motion of Mr. McCamy, it was resolved, that the Senate nonconcur in the above resolution of the House, but that 10 o'clock tomorrow be appointed as the hour for meeting the House. Mr. McCamy was therefore appointed to carry a message informing the House thereof.

The following resolution was offered by Mr. *Smith*, and adopted, to wit:

Resolved, That the rules of the last General Assembly be adopted until farther ordered by this body.

The following message from the House of Representatives, was presented by Mr. Roysdon, to wit:

Mr. President—I am instructed to inform the Senate that the House has disagreed to the amendment of the Senate, appointing 10 o'clock to-morrow as the hour of meeting for the purpose of opening the returns, from the different counties, for Governor.

Mr. *Ferguson* moved to recede from the amendment adopted by the Senate, and agree to the original resolution as adopted by the House.

On motion of Mr. *Thornton*, it was ordered that the whole proceedings be laid upon the table.

On motion, the Senate then adjourned until to-morrow morning at 10 o'clock.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

TUESDAY, *September* 13*th*, 1836.

The Senate met pursuant to adjournment.

Mr. *Brown*, from the joint committee appointed to wait on the Governor, made the following report, to wit:

Mr. President—The committee appointed on the part of this house, on yesterday, to meet such committee as might be appointed on the part of the House of Representatives, to inform Governor Fulton that the two houses of the General Assembly had organized, &c., have performed their duty, and now ask leave to report, to wit:

The Governor informed the committee that he would, on to-day, at 10 o'clock, make his valedictory address to the two houses of the General Assembly.

Mr. *Thornton* moved to take up the message from the House of Representatives, non-concurring with the amendment of the Senate fixing upon 10 o'clock to day as the hour of meeting the house for opening the returns for Governor; which was agreed to.

Mr. *Ball* moved to reconsider the vote adopted on yesterday, amending the resolution of the House of Representatives, by substituting 10 o'clock to-day, instead of 4 o'clock yesterday, as the hour of opening the returns for Governor; which was agreed to.

Mr. *Izard* moved to amend, by substituting 11 o'clock to-day; which was agreed to, and the House of Representatives informed thereof by message.

Mr. *Smith* offered the following resolution, which was adopted:

Resolved, That the door-keeper be directed to furnish fuel for the Senate during its present session.

The following message from the House of Representatives was presented by Mr. Caldwell, to wit,

Mr. President—I am instructed to invite the attendance of the Senate at the hall of the House of Representatives, to hear such communication as Governor Fulton may make.

In accordance with the foregoing message, the Senate, on motion of Mr. *Izard*, repaired forthwith to the hall of the House of Representatives and heard an address delivered by Governor Fulton, in person, to the two houses.

The Senate having retired to their chamber, the following resolution was offered by Mr. *Ringgold*.

Resolved, That the Senate proceed to class the Senators by lot, agreeable to the 4th article, 31st section, of the constitution.

A message from the House was presented by Mr. Teevault, to-wit:

Mr. President—I am instructed to inform the Senate, that the House have accepted of the amendment of the Senate, appointing the hour of 11 o'clock, as the hour of opening and counting the returns for Governor.

The hour of eleven having arrived, on motion of Mr. McCamy, the Senate repaired to the hall of the House of Representatives, for the purpose of being present at the opening of the returns for Governor. The returns having been opened and compared in the presence of the two houses, and it appearing that James S. Conway had received 4854 votes, and Absalom Fowler had received 3024 votes, and Alexander S. Walker had received 28 votes:

James S. Conway, having received a majority of all the votes given in, was declared duly and constitutionally elected Governor of the State of Arkansas.

Mr. *Izard* offered the following resolution, which was adopted:

Resolved, That a select committee be raised on the part of the Senate, to act in conjunction with such committee as may be raised on the part of the House of Representatives, to inform James S. Conway that the polls have been compared, and that he is declared duly elected Governor of the State of Arkansas, for the term of four years, and that they be instructed to ascertain from him at what time he will be ready to be inaugurated.

Messrs. Izard, Martin, and Saunders, were accordingly appointed said committee on behalf of the Senate, and Mr. Izard was appointed to inform the House of Representatives, by message, of the adoption of the above resolution, and the appointment of said committee.

Mr. *Ferguson* offered the following resolution, which was adopted:

Resolved, by the Senate and House of Representatives, That the certificate of the election of Governor, from the counties of Crittenden and Jefferson, be filed with the returns from the several counties of the votes given for Governor.

Mr. *Ferguson* was appointed to carry a message to the House of Representatives, informing them thereof.

The following message from the House of Representatives, was received by Mr. Teevault:

Mr. President—I am instructed to inform the Senate, that the House have appointed a committee, consisting of Messrs. Teevault, Roysdon,

Dickinson, Adams, and Judkins, to act with the committee appointed on the part of the Senate, to inform James S. Conway, that he is duly elected Governor of Arkansas, and to ascertain at what time it will be convenient for him to be inaugurated into office.

Mr. *Izard*, from the committee appointed to wait on James S. Conway, the Governor elect, made the following report:

The committee appointed on the part of the Senate to act in conjunction with the committee raised on the part of the House of Representatives, to wait on James S. Conway, beg leave to report,—That they have performed the duty assigned them, and that they are authorized to inform the Senate, that he will meet both houses of the General Assembly in their Representative hall, at three o'clock (P. M.) of this day.

The following message from the House of Representatives, was presented by Mr. Tully, and concurred in:

Mr. President—I am instructed to request the attendance of the Senate, at the Representative Chamber, to be present at the inauguration of James S. Conway, Governor elect, at 3 o'clock.

At 3 o'clock the Senate repaired to the hall of the House of Representatives, when, in the presence of both houses, James S. Conway, Governor elect, delivered an inaugural address and took the oath of office, as prescribed by law.

The Senate having returned to their chamber, on motion, they then adjourned until 10 o'clock to-morrow morning.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

WEDNESDAY, *September* 14*th*, 1836.

The Senate convened pursuant to adjournment.

The President announced the following standing committees.

On Ways and Means—Messrs Ringold, Smith, McKean, Clark, and Martin.

On the Judiciary—Messrs. Ball, Brown, Izard, Hill, and Thornton.

On the Militia—Messrs. Hill, Clark, Brown, Martin, and Kuykendall.

On Elections—Messrs. McCamy, Thornton, Ferguson, Williamson, and Saunders.

Mr. *Ringgold* introduced the following resolution:

Resolved, That by a joint vote of both houses, we proceed to make choice of a public printer on next, at 12 o'clock, at which time sealed proposals may be handed in to the presiding officers of the Legislative body, whose duty it shall be to open the same before the members of the House, and submit, for their consideration, the proposals of those wishing to be public printer, and grant to the one making the lowest bid, the same, on condition that a bond and security be given by the party, for the faithful performance of the same, to be approved of by the President of the Senate and Speaker of the House of Representatives.

Mr. *Ball* offered the following in lieu thereof, which was rejected:

Resolved, by the General Assembly of the State of Arkansas, That a public printer be elected by a joint vote of both Houses of the General Assembly, who shall continue in office for the term of two years from the time of his election, and until his successor shall be elected, and shall give bond for the faithful discharge of his duties, and who shall receive such compensation for his services as shall hereafter be prescribed by law.

The question then recurring on the adoption of the original resolution, on motion of Mr. *Ringgold*, the ayes and noes were ordered, and were as follows:

Those who voted in the affirmative, were Messrs. Clark, Ferguson, Hill, Izard, Kuykendall, Martin, McKean, Ringgold, Saunders, and Smith—10 ayes.

Those who voted in the negative, were Messrs. Ball, Brown, McCamy, Thornton, Williamson, and Mr. President—6 noes. So the resolution was adopted.

Mr. *Clark* moved to fill the blank in said resolution with "Saturday;" which was agreed to; and Mr. Ringgold was appointed to carry a message informing the House of Representatives of its adoption.

Mr. *Thornton* offered the following resolution, which was adopted:

Resolved, That the Secretary be authorized to procure, for the use of the Senate, the printing of the valedictory of Governor Fulton, and inaugural address of Governor Conway, each five hundred copies.

Mr. *Ringgold* introduced the following resolution which was adopted:

Resolved, That a joint committee, consisting of three on the part of the Senate, to act in coujunction with six on the part of the House of Representatives, be appointed to take into consideration all matter in connection with banking, and report by bill or otherwise; if by bill, the same shall be reported to the House of Representatives; and that the House of Representatives be requested to concur therein.

Mr. *Ringgold* was appointed to carry a message informing the House of Representatives of the adoption of the foregoing resolution, and that Messrs. Ringgold, Ferguson, and McCamy, were appointed said committee on behalf of the Senate.

Mr. *Ferguson* moved to take up the resolution offered yesterday, by Mr. Ringgold, for dividing the Senate, by lot, into two classes; which was agreed to.

Mr. *Ball* moved that the resolution be adopted; which motion was agreed to.

The Senate now proceeded to the classification of its members, by lot, as the constitution directs, dividing them into two classes; those who by lot fell into the first class, were to hold their office for two years, and those of the second class for four years.

The following members belong to the first class: Messrs. Ball, Clark, Ferguson, Hill, Izard, McCamy, McLain, Roane, and Thornton.

Those who belong to the second class, are Messrs. Brown, Kuykendall, Martin, McKean, Ringgold, Saunders, Smith, and Williamson.

The following message from the House of Representatives was received by Mr. Roysdon, to wit:

Mr. President—I am instructed to inform the Senate that a bill has been introduced into the House, providing for the election of electors for President and Vice President of the United States.

The following message from the House of Representatives, was received by Mr. Royston, to wit:

Mr. President—I am instructed to inform the Senate, that the House has adopted the following resolution:

Resolved, That we proceed to elect a Secretary of State at twelve o'clock to-morrow; and they request the concurrence of the Senate thereto.

Mr. *McCamy* moved to amend the resolution of the House, by substituting in lieu of 12 o'clock to-morrow, "Saturday at 12 o'clock;" which was adopted, and Mr. Thornton appointed to carry a message informing the House thereof.

The following message was received from the House of Representatives by Mr. Tolleson, to wit:

Mr. President—I am instructed to inform the Senate that the House have disagreed to the amendment of the Senate, for electing Secretary of State.

Mr. *Smith* moved to recede from the amendment of the Senate; which was negatived, and a message sent to the House of Representatives, insisting on its amendment.

Mr. *Ferguson* offered the following resolution, which was adopted, to wit:

Resolved, That a committee be appointed by the Senate to act with such committee as may be appointed by the House of Representatives, to inform the Governor that both Houses of the General Assembly are ready to receive any communication that he may think proper to make to them, and wish to be informed at what time he will make his communication.

Messrs. Ferguson, Saunders, and Kuykendall, were accordingly appointed the committee on behalf of the Senate.

The following resolution by Mr. *Brown*, was rejected:

Resolved, That the Secretary of the Senate be directed to procure, for the use of the Senate during the present session of the General Assembly, six copies of Steele and McCampbell's digest of the laws of Arkansas.

The following message from the House was received by Mr. Hoge:

Mr. President—I am instructed to inform the Senate that the House of Representatives has adopted a resolution, raising a committee, to consist of three members, to act in conjunction with such committee as may be appointed on the part of the Senate, to prescribe the emblems and devices of the Great Seal of the State of Arkansas. Messrs. Boon, Dickinson, and Swain, are appointed the committee on the part of the House, and the House request the concurrence of the Senate thereto.

On motion of Mr. *Clark*, the Senate concurred in the resolution of the House of Representatives, and Messrs. Hill, Clark, and Smith, were appointed said committee on the part of the Senate, and the House informed thereof by message.

The following message from the House of Representatives, was presented by Mr. Roberts, and ordered to lay on the table.

Mr. President—I am instructed to inform the Senate, that the House have passed a resolution for the election of Secretary of State, at 3 o'clock P. M., to-day, and the House request their concurrence therein, and their attendance at that hour.

Mr. *Smith* offered the following resolution which was adopted:

Resolved, That a select committee be appointed on the part of the Senate, to join such committee as the House of Representatives may appoint, to examine the Auditor's and Treasurer's books.

Messrs. Smith, Ferguson, and McKean, were announced as said committee.

On motion of Mr. *McKean*, Mr. Ringgold was added to the committee, and Mr. Ferguson was appointed to carry a message to the House of Representatives, informing them of the adoption of said resolution, the appointment of the committee, and asking their concurrence therein.

Mr. *Thornton* offered the following resolution, which was adopted:

Resolved, That the meeting of the Senate, each day, be at the hour of 10 o'clock in the forenoon.

Mr. *Ferguson* gave notice, that he would, on Monday next, ask leave to introduce a bill for the location of the seat of justice in Mississippi county, and also a bill to appoint commissioners to build a jail in Crittenden county, and for other purposes.

On motion, the Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

THURSDAY, *September* 15*th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson* was appointed to carry a message to the House of Representatives, informing them of the adoption, on yesterday, of a resolution, appointing a committee, to act in conjunction with a committee on the part of the House, to wait on the Governor, and inform him the two houses are now ready to receive any communication he may see proper to make, and to ascertain at what time he will make said communication, and to ask the concurrence of the House therein.

Mr. *Ringgold*, on leave granted, introduced a bill, authorizing the appointment of trustees to the Batesville Academy; which was read a first time, and ordered to a second reading on to-morrow.

On motion of Mr. *Saunders*, Ambrose H. Sevier was invited to a seat within the bar.

Mr. Roysdon presented a message from the House of Representatives, informing the Senate that a bill had passed the House, entitled, "A bill, to be entitled an act to provide for the election of President and Vice President of the United States," and asking the concurrence of the Senate to its passage.

The bill was taken up, read a first time, and, on motion, the rules were dispensed with, and the bill read a second time, and, on motion of Mr. *Brown*, ordered to be committed to the committee of the whole house, and made the order of the day for to-morrow.

Mr. *Brown* moved to have fifty copies of the bill printed, which motion was rejected.

Mr. Tully presented a message from the House, informing the Senate of the appointment, by the House, of Messrs. Teevault, May, Reyburn, Roberts, and Brandon, as a committee on counties and county lines; and asking the appointment, by the Senate, of a committee to act in conjunction with them.

Messrs. Ferguson, Kuykendall, and Williamson, were accordingly appointed said committee, and the House informed thereof.

A message from the House of Representatives was presented by Mr. Tolleson, informing the Senate that the house had passed a bill, entitled "An act to establish and define the boundaries of Searcy county;" and asking the concurrence of the Senate to its passage.

The bill from the House, entitled "An act, to establish and define the boundaries of Searcy county," was taken up a first time, the rules dispensed with, read a second time, and, on motion of Mr. Saunders, ordered to a third reading on to-morrow.

Mr. Hoge presented the following message from the House of Representatives:

Mr. President—I am instructed to inform the Senate, that the House have amended the resolution passed by the Senate, relative to the public printing; and they request the concurrence of the Senate therein; which resolution, as amended, reads as follows:

Resolved, by the General Assembly of the State of Arkansas, That there be elected a public printer, by a joint vote of both houses of the General Assembly, for the State of Arkansas, who shall hold his office for the term of two years from and after his election, and until his successor shall be elected and qualified; who shall give bond and security to the Governor, for the faithful discharge of his duties, and who shall receive such compensation for his services as shall hereafter be prescribed by law.

Mr. *McCamy* moved to concur in the foregoing resolution.

On motion, the ayes and nays were called for, and were as follows:

Those voting in the affirmative, were Messrs. Ball, Brown, Kuykendall, McCamy, Saunders, Thornton, Williamson, and Mr. President —8 ayes.

Those who voted in the negative, were Messrs. Clark, Ferguson, Hill, Izard, McKean, Ringgold, and Smith—7 noes.

So the resolution was concurred in, and the House of Representatives informed thereof, by message.

Mr. Roysdon presented the following message from the House of Representatives:

Mr. President—I am instructed to inform your honorable body, that the House has adopted the following resolution, in which they ask the concurrence of the Senate, to wit:

Resolved, That a joint committee, to consist, on the part of the House, of five members, be appointed, and be called the committee on public buildings; and that Messrs. Roysdon, Pelham, Alston, Anthony, and Milton, have been appointed said committee, and that the House request the appointment of a committee on the part of the Senate, to act in conjunction with the said committee.

On motion, the Senate concurred in the foregoing resolution.

Messrs. Izard, Ball, and Smith, were appointed the committee, and the House informed thereof.

Mr. Morse presented a message from the House of Representatives, informing the Senate that the House had passed a resolution, fixing on the 16th day of September, instant, at 10 o'clock in the forenoon, for electing a public printer, and asking the concurrence of the Senate therein.

On motion of Mr. *McCamy*, the resolution was laid on the table.

Mr. Smith presented the following message from the House of Representatives, which, on motion of Mr. *Ferguson*, was ordered to lie on the table:

Mr. President—I am instructed to inform the Senate, that the House have passed a resolution, fixing on half past 4 o'clock, as the hour for electing Secretary of State; and they request their concurrence therein, and their attendance at that hour.

On motion, the Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

FRIDAY, *September 16th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson*, from the joint committee to wait on the Governor, made the following report:

The committee appointed on the part of the Senate, to act in conjunction with the committee on the part of the House, to wait on the Governor, and inquire of him if he has any communication to make, and at what time it will be convenient for him to do so, report, that they have performed the duties assigned them, and would inform the Senate, that on Saturday, at 12 o'clock, the Governor will transmit his message to the General Assembly.

Mr. *Brown*, from the committee to draught rules and regulations, made the following report:

Mr. President—The select committee, appointed to report rules, &c., for the government of the Senate, during the present session of the General Assembly, have performed the duties assigned them, and are now, by leave of the house, ready to report.

1. The President shall take the chair every day at the hour to which the Senate shall have been previously adjourned, shall immediately call the house to order, and, on the appearance of a quorum present, the President shall, or any two members may, have a call of the house, and have the absent members sent for.

2. So soon as a quorum shall be present, shall cause the journal of the preceding day to be read.

3. It shall be the duty of the President to preserve order; and he may speak on all questions of order in preference to any other member, rising from his seat for that purpose; and shall decide on all questions of order, subject to an appeal to the house.

4. All questions shall be put in this form: You who are of the opinion that (as the case may be), say aye; of a contrary opinion, say no; and in doubtful cases, the President may direct, or any member call for, a division.

5. All committees shall be nominated by the President, unless otherwise directed by the house; in which case they shall be appointed by ballot.

6. Every member present when a question is taken, shall vote, unless the house, for special reasons, excuse him.

7. Every motion shall be reduced to writing, if the President or any member require it.

8. A motion to adjourn shall always be in order, unless a member is speaking, and shall be decided without debate; and no member shall leave his seat after a question of adjournment is put, until the same is declared a vote of the house.

9. When a member is about to speak, he shall rise, and respectfully address himself to the President; and when a member is speaking, no member shall pass between him and the chair.

10. The President shall preserve decorum; and if any member trangresses the rules of the house, the President shall, or any member may, call to order; in which case, the member called to order shall immediately sit down, unless permitted to explain; and the house, if appealed to, shall decide on the case.

11. No member shall speak more than twice to one question, without leave of the house.

12. When a motion is made and seconded, it shall be stated by the President; or, being in writing, it shall be handed to the chair, and read aloud by the President or Secretary, before debated.

13. After a motion is stated by the President, or read by the Secretary, it shall be deemed to be in possession of the house, but may be withdrawn at any time, before a decision or amendment, by consent of the house.

14. When a question is under debate, no motion shall be received, unless to amend it, to take the previous question, or to adjourn.

15. The previous question shall be put in these words: Shall the main question be now put? It shall be admitted only on the demand of two members; and, until decided, shall preclude all amendments and farther debate on the main question.

16. Any member may call for a division of the question, when the same will admit of it.

17. No committee shall sit during the sitting of the house, without special leave.

18. The first reading of a bill shall be for information; and if objec-

tions shall be made to it, the question shall be, Will the bill be rejected? If no objections be made, or the question to reject be lost, the bill shall go to its second reading without a question.

19. Upon the second reading of a bill, the President shall state it as ready for commitment, or engrossing; and if committed, then the question shall be, whether to a select committee or a committee of the whole, and the house shall determine on what day; but if the bill be ordered to be engrossed, the house shall appoint the day on which it shall be read the third time.

20. A bill, after commitment or report thereof, may be committed at any time before its passage.

21. In forming a committee of the whole, the President shall leave the chair, and appoint a chairman to preside.

22. In filling up blanks, the longest time and largest sums shall be taken first.

23. When a motion is made for an amendment of any bill or resolution, the mover's name shall be inserted on the Journal.

24. The rules of proceedings in the house, shall be observed in committee of the whole, so far as they may be applicable. All messages to the House of Representatives, shall be carried by one of the Secretaries.

25. No member shall be permitted to vote on any subject in which he is immediately interested.

26. No member shall absent himself from the house, unless he has leave of absence, is sick, or unable to attend.

27. No member in the minority of any vote declared, shall have a right to move for a re-consideration thereof.

28. No member shall call for the yeas and nays, after the same has been declared a vote by the President.

29. Any member may excuse himself from serving on a committee, if, at the time of his appointment, he shall be a member of three other committees.

30. Every bill originating in the Senate, shall be introduced by motion, for leave, or by order of the house.

31. No bill shall pass the house, until the third reading, and every bill shall be read on three different days, in each House, unless two-thirds of the house, when the same is pending, shall suspend the rules; and every bill having passed both houses, shall be signed by the President of the Senate, and Speaker of the House of Representatives.

32. In all cases of ballot, by the house, and on all questions when the yeas and nays are called, the President shall vote, he being the last in voting.

33. If two or more members happen to rise at once, the President is to name the person who shall speak first.

34. No standing rule of the house shall be revised or amended, without one day's notice be given of the motion thereof.

35. Whenever an officer, civil or military, shall be appointed, by the joint or concurrent vote of both houses, or by the separate vote of

either house of the General Assembly, the vote shall be taken *viva voce*, and entered in the Journals.

Mr. *Brown* moved that the rules and regulations, as reported, be adopted for the government of the Senate; which was agreed to.

Mr. *Ringgold* introduced the following resolution:

Resolved, That 200 copies of the rules and regulations, for the government of the Senate, as reported by the committee, be printed for the use of the Senate, and each member be furnished with two copies, and the balance be placed in the office of the Secretary of State, for safe-keeping, for the use of a future Legislature.

Mr. *Ferguson* moved to amend, by inserting 100 in lieu of 200; which was agreed to, and the resolution as amended, was adopted.

On motion of Mr. *Ringgold*, the Senate resolved itself into a committee of the whole, Mr. Williamson in the chair, on the bill entitled "A bill, to be entitled an act to provide for the election of President and Vice President of the United States;" and, after some time spent in the consideration thereof, the committee rose; and the President having resumed the chair,

Mr. *Williamson* reported that the committee had, according to order, had under consideration said bill; that they had gone through the same, and had instructed him to report the same to the Senate, with amendments.

Which amendments were adopted.

On motion of Mr. *Williamson*, the bill, as amended, was referred to a select committee, consisting of Messrs. Williamson, Ringgold, and Ferguson.

Mr. Cocke presented the following message from the House of Representatives:

Mr. President—I am instructed to inform the Senate, that the House have passed a resolution, appointing a committee, consisting of Messrs. Cocke, Shell, and Logan, to examine and report the condition of the State-house, Court-house, and Jail fund, and also to examine the title of the lots on which the public buildings are erected; and they request the concurrence of the Senate therein.

Mr. Roysdon presented a message from the House of Representatives, informing the Senate that Messrs. Roysdon, Blair, Royston, May, Taylor, Philips, and Tolleson, were appointed a committee, to act in conjunction with such committee as may be appointed on the part of the Senate, on Education and University lands, and requesting the concurrence of the Senate therein.

The following message from the House of Representatives, was presented by Mr. Caldwell:

Mr. President—I am requested to invite the attendance of the Senate, at the Representative hall, forthwith, for the election of Secretary of State.

The Senate then repaired to the Representative hall, for the purpose of electing a Secretary of State.

Mr. *Roysdon* nominated Robert A. Watkins, and Mr. *Teevault* nominated John J. Clendenin.

The result of the joint vote of both houses was, for Watkins 45 votes, for Clendenin 18 votes; and ROBERT A. WATKINS, having received a majority of all the votes, was declared duly and constitutionally elected Secretary of State for the State of Arkansas.

The Senators who voted for Watkins, were—Messrs. Clark, Ferguson, Hill, Izard, Kuykendall, Martin, McKean, Ringgold, Saunders, Smith, and Thornton.

Those who voted for Clendenin, were—Messrs. Ball, Brown, McCamy, Williamson, and Roane,

The Senate having repaired to their chamber, the bill entitled "An act to establish and define the boundaries of Searcy county," was taken up and read a third time, and, on motion of Mr. Kuykendall, referred to the committee on counties and county lines.

Mr. Tully presented a message from the House, informing the Senate that Messrs. Smith, Littell, and Reagan, were appointed by the House a committee on enrollments.

The bill, entitled a bill authorizing the appointment of trustees to the Batesville Academy, was taken up, read a second time, and ordered to a third reading on to-morrow.

Mr. *Brown* presented a resolution, concerning the adoption of joint rules for the government of both houses of the General Assembly, which lies on the table for one day.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

SATURDAY, *September* 17*th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson*, from the committee on counties and county lines, to whom had been referred the bill, entitled "An act to establish and define the boundaries of Searcy county," reported the same without amendment.

Mr. *Williamson*, from the select committee to whom had been referred the bill entitled, "A bill to be entitled an act to provide for the election of President and Vice President of the United States," reported that they had the same under consideration, and beg leave to offer a substitute in lieu of the original bill.

Which substitute, on motion of Mr. *Ringgold*, was adopted.

The bill, as amended, was now taken up, read a third time on its final passage, and passed, and sent to the House of Representatives.

On motion of Mr. *Clark*, the resolution from the House, appointing a Committee on Education and University lands, was taken up, and concurred in; and Messrs. Clark, Izard, and Saunders, were appointed a committee on the part of the Senate, and the House of Representatives informed thereof.

On motion of Mr. *Ferguson*, the resolution from the House of Representatives, appointing a committee to examine and report the con-

dition of the State-house, Court-house, and Jail fund, and to examine the titles to the lots on which the public buildings are situated, and asking the concurrence of the Senate, was now taken up.

Mr. *Ferguson* moved to concur in the resolution; which motion was negatived.

Mr. *Thornton* introduced the following;

Resolved, That the committee on public buildings be instructed to examine into the situation of the funds which have been appropriated for the State-house, Court-house, and Jail, in the city of Little Rock, also, the titles to the several lots of ground on which the public buildings are situated.

Mr. *Ferguson* moved to amend by referring the whole matter to a select committee; which motion was lost, and the resolution, as introduced by Mr. Thornton, adopted.

Mr. Byrd presented a message from the House of Representatives, informing the Senate that the House had adopted the following resolution, and requesting the concurrence of the Senate therein:

Resolved, That the 17th section of the 5th article of the constitution, be so construed as that no joint resolution of the two houses of the General Assembly requires the signature of the Speaker of the House of Representatives, and President of the Senate, and Governor of the State, other than those which are to have the effect of a law of the said General Assembly.

The following message from the House, was presented by Mr. Royston:

Mr. President—I am requested to invite the Senate to the Representative hall, to receive the message of the Governor forthwith.

The Senate then repaired to the hall of the House of Representatives, when a message from the Governor, transmitted by the hands of his private Secretary, John J. Clendenin, accompanied by the Treasurer's and Auditor's reports, was read by the private Secretary in the presence of both houses of the General Assembly.

The Senate having returned to their chamber, Mr. *McKean* moved that 1000 copies of the Governor's message be printed for the use of the Senate.

Mr. *Ferguson* moved to amend by substituting 2000; which motion was negatived, and 1000 ordered to be printed.

On motion of Mr. *McKean*, 500 copies of the Auditor's and Treasurer's reports were ordered to be printed for the use of the Senate.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

MONDAY, *September* 19*th*, 1836.

The Senate convened pursuant to adjournment.

The resolution from the House of Representatives, in relation to the construction of the 17th section, 5th article, of the constitution, was now taken up.

Mr. *Ringgold* offered the following resolution, which was lost:

Resolved, That the Senate does not concur in the resolution sent from the House of Representatives, in regard to the 17th section, 5th article, of the constitution; and by the adoption of the same, no definite object can be effected; it would not be binding on the action of a future Legislature, nor can it be binding on any one member of the present body, so as to prohibit him from his construction of the same; nor would it be regarded or respected by the judges of our courts, as having any bearing or effect on the letter and spirit of the constitution, as being the supreme law of the land. The Senate knows their actions are bound by the constitution, but deem it inadvisable to pass resolutions construing the same, a power more appropriate for the high consideration of our courts of law.

Mr. *Brown* moved that the Senate non-concur in the resolution from the House; which motion was adopted.

The following resolution was introduced by Mr. *Smith:*

Resolved, That we proceed to the election of three Supreme Judges, and two Senators, at 12 o'clock this day, and that the House of Representatives be requested to concur therein.

Mr. *Brown* moved to amend, by substituting 12 o'clock to-morrow, in lieu of 12 o'clock this day.

Mr. *Hill* moved farther to amend, by striking out the words "Supreme Judges."

Mr. Royston presented a message from the House of Representatives, informing the Senate that the House had passed a preamble and resolution, providing for the appointment of persons learned in the law, to revise and digest the laws of Arkansas, and for other purposes, and requesting the concurrence of the Senate therein.

Mr. Hoge presented a message from the House, inviting the Senate to repair to the Representative chamber, at half-past 11 o'clock, for the purpose of electing Senators to the United States Senate.

On motion of Mr. *McCamy*, the resolution of Mr. Smith, with the proposed amendments, was laid on the table.

Mr. *Hill* introduced the following preamble and resolutions, which, on motion of Mr. *Hill*, was ordered to lie on the table:

Whereas, it is at this time inexpedient to legislate upon any subject which is not indispensably necessary to the complete organization of the civil and military authority of the State—for the assessment and collection of taxes—for the receipt and expenditure of moneys allowed to the State of Arkansas by act of Congress, entitled "An act to regulate the deposites of the public money, approved 25th June, 1836," —for the establishment of such bank or banks, as will promote the general welfare of the citizens of the State—for the payment of all public officers of the State—for the enforcement of a strict accountability of the public officers, agents, and servants of the State, whose duties and responsibilities are not sufficiently defined by the constitution:

Therefore, be it Resolved That it is expedient for this General Assembly to provide for the appointment of suitable persons to prepare a

revision, digest; and arrangement, of the laws of this State, as provided for by the constitution, to be submitted to this General Assembly at a subsequent meeting, under such penalties, and in conformity with such regulations, as may be prescribed in that behalf.

Mr. *Izard* moved that the Senate concur in the invitation of the House, to repair to the Representative chamber, to elect Senators to the United States Senate; which motion was agreed to.

Mr. *Clark* moved to go into the election of Supreme Judges at the same time; which was negatived.

The Senate then, at half past 10 o'clock, repaired to the hall of the House of Representatives, for the purpose of electing Senators to the Senate of the United States.

Mr. *Smith*, of the Senate, nominated Ambrose H. Sevier. Mr. *Logan* nominated William S. Fulton, and Mr. *Smith*, of the House of Representatives, nominated Horace F. Walworth.

The rolls of the two houses being called, the following was announced as the result of the votes:

For Sevier 60 votes, for Fulton 56 votes, and for Walworth 4 votes.

Ambrose H. Sevier, and Wm. S. Fulton, having received a majority of all the votes given in, were declared duly elected Senators to the Senate of the United States, for the time prescribed by the constitution of the United States.

The Senators who voted for Mr. Sevier, were—Messrs. Brown, Clark, Ferguson, Hill, Izard, Kuykendall, McCamy, Martin, McKean, Ringgold, Smith, Saunders, Thornton, Williamson, and Roane.

Those who voted for Mr. Fulton, were—Messrs. Brown, Ferguson, Hill, Izard, Kuykenkall, McCamy, Martin, McKean, Ringgold, Smith, Saunders, Thornton, Williamson, and Roane.

Mr. Clark voted for Mr. Walworth.

The Senate then repaired to their chamber; when Mr. *McKean* offered the following resolution, which was adopted, and Messrs. McKean, Izard, and Smith, appointed said committee:

Resolved, That a committee be raised for the purpose of taking into consideration that part of the Governor's message which relates to the erection of a penitentiary.

Mr. *Izard* offered the following resolution, which was adopted:

Resolved, That the committee on seminary lands, be instructed to take immediate steps to provide for the sale of the 72 sections of land granted by Congress to the Territory of Arkansas, for the purpose of erecting a seminary of learning, and confirmed to the State by the late act of Congress, providing for the admission of the State of Arkansas into the Union; and that they be instructed to prescribe some mode by which a safe and profitable disposition of the funds arising from the sale of said lands can be made.

Mr. Tolleson presented a message from the House of Representatives, informing the Senate that the House had passed the accompanying bill, entitled "An act for the relief of Thomas S. Haynes, Sheriff of Conway county, and others," and asking the concurrence of the Senate.

Mr. *McCamy* called for the reading of the Governor's message, paragraph by paragraph, with a view to a reference to the appropriate committees.

So much of the Governor's message as relates to the Auditor's and Treasurer's reports, was, on motion of Mr. *McCamy*, referred to the committee appointed to examine the Auditor's and Treasurer's books.

And so much of the Governor's message as referred to the revenue laws, was referred to the committee on ways and means.

And so much of the message as respects Judges' salaries, was referred to the committee on the judiciary.

So much of the Governor's message as relates to the grant of the five sections of land, was referred to a select committee, consisting of Messrs. Clark, Williamson, and Thornton.

Mr. *Ferguson* moved to refer so much of the Governor's message as relates to the public buildings, to a select committee.

So much of the Governor's message as relates to the militia, was referred to the committee on the militia.

On motion, the Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

TUESDAY, *September* 20*th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson*, agreeably to notice previously given, asked and obtained leave to introduce a bill, entitled "An act appointing commissioners to superintend the building of a jail in the town of Marion, and county of Crittenden, and for other purposes;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Ringgold* asked and obtained leave to introduce a bill entitled "A bill to compensate C. F. M. Noland;" which was read a first time, and ordered to a second reading on to-morrow.

On motion of Mr. *Ferguson*, the orders of the day were now taken up.

The bill, entitled "A bill authorizing the appointment of Trustees to the Batesville Academy," was taken up, read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

The bill, from the House of Representatives, entitled "An act to establish and define the boundaries of Searcy county, was taken up, read a third time on its final passage, passed, and was transmitted to the House of Representatives.

The preamble and resolution from the House of Representatives, providing for the appointment of suitable persons to revise, digest, and arrange the laws of Arkansas, and for other purposes, were now taken up, read, and ordered to lie on the table.

The bill from the House, entitled "An act for the relief of Thomas S. Haynes, Sheriff of Conway county, and others," was taken up, read a first time, and ordered to a second reading on to-morrow.

On motion of Mr. *Brown*, the following resolution, which had been introduced by him on a previous day, was taken up, read, and adopted:

Resolved, by the Senate and House of Representatives, That the following rules be adopted as the joint rules for the government of the two houses, during the present session of the General Assembly of the State of Arkansas, and that the Senate ask the concurrence of the House of Representatives therein.

1st. When the business requires the attendance of the Senate in the House of Representatives, they, with their Secretaries, shall be conducted within the bar, and there seated.

2d. When a message shall be sent from one house to the other, it shall be announced at the door by the door-keeper, be respectfully communicated to the President of the Senate, or to the Speaker of the House of Representatives, (as the case may be), by the person by whom it may be sent, and a copy thereof deposited at the Secretary's or Clerk's table, (as the case may be.)

3d. A message shall always be conveyed by one of the Secretaries or one of the Clerks, (as the case may be), from the house from which it was sent.

4th. After a bill or resolution shall have passed both houses, it shall be enrolled by the Secretary or Clerk of the house in which it originated.

5th. When bills or resolutions are enrolled, they shall be examined by a joint committee, consisting of two members from the Senate, and —— members from the House of Representatives, to be appointed as a standing committee for that purpose, whose duty it shall be to compare the enrolled with the engrossed bill or resolution, as passed by the two houses, correct any errors that may be discovered, and report forthwith to their respective houses.

6th. After examination and report, each bill shall be signed by their respective houses, first by the Speaker of the House of Representatives, and then by the President of the Senate.

7th. After a bill or resolution shall have been signed by the Speaker of the House of Representatives and the President of the Senate, it shall be delivered by the joint committee of enrollments to the Governor, for his approval or dis-approval, as he may think proper.

8th. When amendments are proposed to a bill or a resolution, in one house, and dissented to in the other, if either house request a conference, and appoint a committee for that purpose, the other shall also appoint a committee for the same purpose; and such committee shall, at a convenient time to be named by their Chairman, meet and state to each other, verbally, or in writing, their reasons for anda gainst the amendment, and report to their respective houses the result of their deliberations.

9th. Committees of conference shall be appointed, in any disagreement in opinion subsisting between the two houses, at the request of either house.

10th. When a committee is appointed to report a bill or resolution to either house, advice thereof shall be communicated to the other house.

11th. The Secretary or Clerk of either house, if directed by the house, shall deliver a copy of each bill or resolution, after its first reading, to the public printer, who shall print, for the use of the members, as many copies as the house may direct.

Mr. *Ferguson* moved that so much of the Governor's message as relates to the expenditure of the State-house, Court-house, and Jail fund, be referred to a select committee, and that said committee have power to call on all persons having books, papers, or money, in their possession, belonging to, or in any wise relating to, said fund.

Mr. *Thornton* introduced the following, as an amendment in lieu thereof, which was adopted, to wit:

That the joint committee on public buildings be instructed to call upon his Excellency Governor Conway, and Thomas Thorn, and others, of Little Rock, for all and every of papers or other information, relating to the State-house, Court-house, and Jail, in the city of Little Rock.

So much of the Governor's message as relates to the act of Congress, regulating the public deposites, approved 23d June, 1836, and the act supplementary to the act, entitled "An act for the admission of Arkansas into the Union, and also so much as relates to the five per cent. on the net proceeds of the sale of public lands in Arkansas," was referred to the committee on ways and means.

Mr. *Izard* introduced the following resolution, which was adopted, and Messrs. Izard, Williamson, and Thornton, were appointed the committee on the part of the Senate, and the House of Representatives informed thereof, to wit:

Resolved, That a joint committee be raised, consisting of three on the part of the Senate, and six on the part of the House of Representatives, to take into consideration all subjects connected with internal improvements within the limits of the State of Arkansas, and that the concurrence of the House of Representatives be asked thereto.

Mr. *Kuykendall* moved that a committee on memorials be raised; which motion was agreed to, and Messrs. Ferguson, Kuykendall, and Brown, appointed said committee.

On motion of Mr. *Kuykendall*, so much of the Governor's message as relates to the defence of the western frontier, was referred to the committee on memorials.

Mr. *Ringgold* asked and obtained leave to introduce the following bill, to wit:

A bill for to compensate James Pope, for services performed by him as prosecuting attorney pro tem. for the 3d judicial circuit; which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Thornton* introduced the following resolution, which was ordered to lie on the table, to wit:

Resolved, That the regular hour to which the Senate stand adjourned, be 9 o'clock in the forenoon.

The Senate then adjourned.

SAM C. ROANE.

ANDW J. GREER, *Secretary*.

WEDNESDAY, *September 21st*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ball* presented the petition of John Harrell, which was read, and referred to the committee on the judiciary.

Mr. Byrd presented a message from the House of Representatives, informing the Senate that the House had concurred in the resolution of the Senate, appointing a committee on internal improvement, and that Messrs. Boyd, Reyburn, Pelham, Smith, Thompson, and Milton, were appointed the committee on the part of the House.

Mr. *Clark* asked and obtained leave to introduce a bill, entitled "A bill to be entitled an Act supplementary to an act appointing commissioners to superintend the building of a court-house and jail, in the town of Columbia, for the benefit of the citizens of Chicot county," approved October 27th, 1835, which was read a first time, and ordered to a second reading on to-morrow.

On motion of Mr. *Ferguson*, the orders of the day were now taken up.

The bill to compensate C. F. M. Noland, was taken up, read a second time, and on motion of Mr. *Hill*, committed to the committee of the whole, and made the order of the day for to-morrow.

The bill, entitled "A bill, entitled an act appointing commissioners to superintend the building of a jail in the town of Marion, and county of Crittenden, and for other purposes," was taken up, read a second time, and ordered to be engrossed for a third reading to-morrow.

The bill, entitled "A bill to compensate James Pope, for services performed by him as prosecuting attorney pro tempore for the third judicial circuit, was read a second time, and ordered to its third reading on to-morrow.

The bill from the House of Representatives, entitled "An act for the relief of Thomas S. Haynes, Sheriff of Conway county, and others, was taken up, read a second time, and ordered to lie on the table.

The resolution offered by Mr. *Thornton*, on yesterday, fixing 9 o'clock in the forenoon, as the regular hour to which the Senate should stand adjourned, was taken up, read, and negatived.

Messrs. Clark and Ferguson were appointed a committee on enrollments.

Mr. *Smith*, from the committee appointed to examine the Auditor's and Treasurer's books, made the following report, which was adopted, to wit:

That, after a long and careful examination of all the books, accounts, and vouchers, of both officers, find them strictly correct, and recommend the adoption of the reports (as made to the Governor, and referred to in his message) by this house.

Your committee, in the prosecution of their duties, examined the lists of abstracts of lands taken from the Registers' books, made out by the Auditor for the purpose of enabling the Sheriffs of the several counties to assess and collect the taxes, which show that great research and attention was necessary to accomplish the object; and although not required by the duties of his office, the Auditor, at no small expense

to himself, and with infinite labor, has performed the task, and for which your committee recommend the passage of an act, making an appropriation to compensate him.

Another subject which came before your committee, during the investigation of the Auditor's books, they feel it incumbent on them to make known to the house, in this report. By virtue of an act passed at the last session of the Legislature, approved 2d November, 1835, and entitled "An act amendatory to an act now in force for the relief of paupers;" warrants have been drawn on the treasury, for the sum of one hundred and sixteen dollars and forty cents, covering the allowance of two accounts only; your committee have these, and other accounts created for the same object, in the progress of proof and allowance, one of which is understood to amount to near $200. However desirable it may be for the Legislature, by its authority, to extend the hand of charity and benevolence to the destitute and distressed, it is evident, from the latitude given to the construction of the act referred to, should all portions of the State require aid in proportion to the amount called for, and likely to be called for, by the county of Pulaski, the whole revenue of the State could be swallowed up. Your committee recommend that some alteration in the law be made, or that it be repealed.

On settlement with the Treasurer, your committee have received, and which is in the possession of the chairman of the committee on the part of the House of Representatives, all the redeemed scrip in his possession, amounting, with interest, to the sum of $11,328 15; and the sum of $81 79, an unexpended cash balance of an appropriation made to purchase scrip; and the sum of $27 50, Saline or Salt Spring fund; and in cash and bonds, the sum of $2,181 68¼ balance remaining in the treasury, and being part of a fund created from the sale of two sections of the University lands.

Your committee cannot close this report, without expressing their satisfaction with the very correct and business like manner, in which they found all the accounts of both officers kept, the neat and methodical manner of numbering and selecting all vouchers connected with them, and with their general arrangements, shewing conclusively the faithful performance of the several duties of the Auditor and Treasurer, and their abilities and qualifications to fill the offices to which they were appointed. All of which is respectfully submitted.

Your committee farther recommend the adoption of the following resolution:

Resolved, That the joint committee on the Auditor's and Treasurer's books, be authorized to burn all the redeemd scrip in their possession, and that the Speaker of the House of Representatives be requested to write the word "satisfied" on all the warrants and vouchers, and that the cash and obligations, as named in the report, be again placed in the hands of the Treasurer, for safe keeping, until otherwise disposed of by the house.

On motion of Mr. *Ferguson*, the resolution appended to the foregoing report was adopted.

Mr. *Ferguson* moved that the Secretary be directed to furnish the printer with a copy of the report of the committee appointed to examine the Auditor's and Treasurer's books, and that the report of the committee be printed with the reports of the Auditor and Treasurer, as made to the Governor; which motion was adopted.

Mr. *Hill* introduced the following resolution, which, on motion of Mr. *McCamy*, was laid on the table:

Resolved, That Saturday next, at 12 o'clock, be set apart to elect a public printer, and also an Auditor and Treasurer, and that the House of Representatives be asked to concur therein.

Mr. Davies presented a message from the House of Representatives, informing the Senate that the House has adopted a resolution to receive and burn all the redeemed scrip, and that Messrs. Davies, Smith, and Reagan, were appointed a committee for that purpose, on the part of the House, and requesting the concurrence of the Senate therein; which, on motion of Mr. *Ringgold*, was laid on the table.

Mr. *Brown* asked and obtained leave to introduce a bill, entitled "A bill to be entitled an act to repeal the first and second sections of an act entitled an act to call in the scrip or county certificates issued in Crawford county," approved the 2d November, 1835; which was read a first time.

Mr. *Brown* moved that the rules be dispensed with, and the bill read a second time; which motion was negatived, and the bill was ordered to a second reading on to-morrow.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

THURSDAY, *September 22d*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ball* presented a petition from sundry citizens of Washington county, praying for a division of said county; which was read and referred to a select committee, consisting of Messrs. McCamy, Ball, and Saunders.

On motion of Mr. *Izard*, the orders of the day were now taken up.

On motion of Mr. *Ringgold*, the Senate now resolved itself into a committee of the whole, Mr. *Izard* in the chair, on the bill, entitled "A bill to compensate C. F. M. Noland;" and after some time spent in the consideration thereof, the committee arose, and the President having resumed the chair, Mr. *Izard* reported that the committee had had the said bill under consideration, had gone through the same, and begged leave to report the same with sundry amendments; which amendments, on motion of Mr. *Izard*, were adopted by the Senate.

The bill, entitled "A bill entitled an act appointing commissioners to superintend the building of a jail in the town of Marion, and county of Crittenden, and for other purposes," was taken up and amended,

read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

Mr. *McCamy* moved that he have leave to re-consider his vote on the bill, entitled "A bill to compensate C. F. M. Noland;" which motion was lost.

On motion of Mr. *Izard*, said bill was then laid on the table.

The bill, entitled "A bill to compensate James Pope, for services performed by him as prosecuting attorney pro tempore, for the third judicial circuit," was taken up, read a third time, and on motion of Mr. *McCamy*, indefinitely postponed.

The bill, entitled "A bill to be entitled an act supplementary to an act appointing commissioners to superintend the building of a court-house and jail in the town of Columbia, for the benefit of the citizens of Chicot county, approved the 27th of October, 1835," was taken up, read a second time, and ordered to be engrossed for a third reading on to-morrow.

The bill, entitled "A bill to be entitled an act to repeal the first and second sections of an act entitled an act to call in the scrip or county certificates issued in Crawford county, approved the 2d November, 1835," was taken up, read a second time, and referred to a select committee, consisting of Messrs. Brown, Hill, and Thornton.

Mr. *Hill* asked and obtained leave to introduce a bill, entitled "A bill to be entitled an act to authorize the removal of the administration of the estate of Rufus K. Garland, deceased, from Lafayette county to Hempstead county;" which was read a first time.

Mr. *Hill* moved that the rules be dispensed with, and that the bill be read a second time; which motion was negatived, and the bill ordered to a second reading on to-morrow.

Mr. *Hill* moved to take up the resolution submitted by him on a previous day, making provision for a digest, revision, and arrangement, of the laws of Arkansas, as provided for by the constitution, and for other purposes; which motion was negatived.

Mr. *Ringgold* asked and obtained leave to introduce a bill, entitled "A bill for the appointment of Notaries Public;" which was read a first time, and ordered to a second reading on to-morrow.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

FRIDAY, *September 23d*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the petition of John Harrel, reported a bill, to be entitled "An act to authorize the resignation of John Harrel, administrator of James McCormack, deceased;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *McCamy*, from the select committee to whom had been referred the petition of sundry citizens of Washington county, praying for a division of said county, reported a bill entitled "A bill to be entitled an act to establish the county of Madison," and also a bill, entitled "A bill to be entitled an act to establish the county of Benton;" both of which said bills were read a first time, and ordered to a second reading on to-morrow.

Mr. *McCamy*, from the same committee, also gave notice, that he would, on to-morrow, ask leave to report a bill fixing the seat of justice of Washington county, and for other purposes.

Mr. *Brown*, from the select committee, to whom had been referred the bill entitled "A bill, to be entitled an act to repeal the first and second sections of an act entitled an act to call in the scrip or county certificates issued in Crawford county, approved the second day of November, 1835;" reported the same with an amendment; which amendment was adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

Mr. *Ball* introduced the following resolution, which was adopted, to wit:

Resolved, That the Governor be requested to communicate to the Senate copies of the correspondence between the different Governors of the Territory of Arkansas, and the Secretary of the Treasury and Commissioner of the General Land-office, in relation to the location and disposal of the seventy-two sections of seminary lands.

Mr. *Ferguson* submitted the following resolution, which was adopted, to wit:

Resolved, That the joint committee on education and university lands, be instructed to take under consideration all laws and acts of Congress respecting the sixteenth section in every township of six miles square in the State of Arkansas; and that they report to this General Assembly, by bill or otherwise, such acts as they may deem expedient to be passed by this General Assembly.

On motion of Mr. *Hill*, the orders of the day were then taken up.

The bill, entitled "A bill to be entitled an act supplementary to an act appointing commissioners to superintend the building of a court-house and jail in the town of Columbia, for the benefit of the citizens of Chicot county, approved the 27th of October, 1835," was taken up, read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

The bill, entitled "A bill to be entitled an act to authorize the removal of the administration of the estate of Rufus K. Garland, deceased, from Lafayette county to Hempstead county," was now taken up, read a second time; on motion of Mr. *Hill*, the rules were dispensed with, read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

The bill, entitled "A bill for the appointment of Notaries Public," was taken up, read a second time, and, on motion of Mr. *Izard*, laid on the table until Wednesday next.

Mr. *Izard* introduced the following preamble and resolution, which lies on the table:

Whereas, in the opinion of this General Assembly, the sixteenth section of the fifth article of the constitution of the State of Arkansas, is fraught with evils that are calculated in their nature to produce the most unhappy results, by destroying the happy system of checks and balances, without which all republican forms of government are fluctuating and unstable, and being destitute of any redeeming principle, they naturally tend to anarchy and confusion; and, being anxious to secure our citizens in the free enjoyment of all the rights and privileges to which they are entitled by natural right, and to give that stability to our new government, which is necessary to give us character abroad and security at home, they have thought it advisable to submit the following proposition to amend the above named section, to the consideration of the people of the State of Arkansas, by resolution:

Resolved, That the 16th section of the 5th article of the constitution of the State of Arkansas, be amended, by inserting the words "of two-thirds" after the word majority in the fifth line, and inserting the same words after the word majority in the eighth line of said section, which will then read as follows:

"Every bill which shall have past both houses, shall be presented to the Governor; if he approve, he shall sign it, but if he shall not approve it he shall return it, with his objections, to the house in which it shall have originated, who shall enter his objections at large upon their journals, and proceed to reconsider it. If, after such re-consideration, a majority of *two-thirds* of the whole number elected to that house, shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which, likewise, it shall be re-considered; and, if approved by a majority of two-thirds of the whole number elected to that house, it shall be a law; but in such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journals of each house respectively.

"If any bill shall not be returned by the Governor within three days, Sundays excepted, after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the General Assembly, by their adjournment, prevent its return: in such case it shall not be a law."

Mr. *Ringgold* moved to take up the bill to compensate C. F. M. Noland, which was agreed to.

Mr. *Izard* moved to amend said bill, by striking out $700, and inserting $400.

Mr. *McCamy* moved to amend the amendment, by inserting $500.

The question recurring on the motion to strike out, it was negatived.

Mr. *Izard* then moved that the said bill be laid on the table until the first day of January next.

On this motion, the ayes and noes were demanded.

Mr. Izard voted in the affirmative; and Messrs. Ball, Brown, Clark, Ferguson, Hill, Martin, McCamy, McKean, Ringgold, Saunders, Smith,

Thornton, Williamson, and Mr. President, in the negative—14 noes.

So the motion to lay upon the table, was lost.

On motion of Mr. *Smith*, the bill was then ordered to be engrossed, and read a third time to-morrow.

Mr. Royston presented a message from the House of Representatives, informing the Senate that an act, to be entitled "An act supplementary to an act entitled an act to erect and build a court-house in the town of Washington, and for other purposes," and also a bill, to be entitled "An act to incorporate the town of Washington, in the county of Hempstead," and also a bill, entitled "An act concerning the revival of statutes," and also, "An act to remove the administration of the estate of William Anthony, senior, deceased, from the county of Crawford to the county of Johnson, had passed the House of Representatives, and they respectfully ask the concurrence of the Senate therein; whereupon, all of which bills were severally read a first time, and ordered to a second reading on to-morrow.

Mr. Reagan presented a message from the House of Representatives, informing the Senate that the House had passed a bill, entitled "An act regulating the office of the Secretary of State," and asking the concurrence of the Senate; whereupon, the bill was read a first time, and ordered to a second reading on to-morrow.

Mr. *Clark*, from the joint committee on enrollments, reported that the committee had examined the enrolled bill, entitled "An act to provide for the election of President and Vice President of the United States," and that they find the same correctly enrolled.

Mr. Roberts presented a message from the House of Representatives, informing the Senate, that the House had passed the bill from the Senate authorizing the appointment of trustees to the Batesville academy, and herewith returned the same.

On motion, the Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

SATURDAY, *September 24th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Clark*, from the committee on enrollments, reported that the committee had examined the enrolled bills, entitled "An act authorizing the appointment of trustees to the Batesville Academy," and also, "An act to establish and define the boundaries of Searcy county," and a resolution providing for the election of a public printer; all of which they found correctly enrolled.

Mr. *McCamy*, from the select committee to whom had been referred the petition of sundry citizens of Washington county, praying for a division of said county, reported a bill, entitled "A bill to be entitled an act to fix the seat of justice of Washington county, and for other purposes;" which was read a first time, and ordered to a second reading on Monday.

Mr. *McCamy* introduced the following resolution, which was adopted.

Resolved, That the committee on memorials be instructed to inquire into the expediency of memorializing the Congress of the United States, on the subject of immediately adopting measures for the defence of the western frontier of the State of Arkansas.

On motion of Mr. *Clark*, the orders of the day were now taken up.

The bill, entitled "A bill to be entitled an act to repeal the first and second sections of an act entitled an act to call in the scrip or county certificates issued in Crawford county, approved the 2d day of November, 1835," was now taken up.

On motion of Mr. *Brown*, the bill was amended by substituting the following title in lieu of the original title, to wit:

"An act to prolong the time for calling in the scrip or county certificates of Crawford county."

The bill, as amended, was then read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

The bill entitled "A bill to compensate C. F. M. Noland," was now taken up.

Mr. *Saunders* moved that he have leave to reconsider his vote, ordering the bill to be engrossed for a third reading; which motion was adopted.

Mr. *McCamy* moved to strike out of said bill, the words "seven hundred;" on motion, the ayes and nays were required, and were as follows:

Ayes—Messrs. Ball, Hill, Izard, Martin, McCamy, Saunders, Thornton, and Williamson.

The noes were—Messrs. Brown, Clark, Ferguson, McKean, Ringgold, Smith, and Mr. President—ayes 8, nays 7. So the motion to strike out was sustained.

Mr. *Ferguson* moved to fill the blank in said bill with "seven hundred." On this motion, the ayes and nays were required, and were as follows:

Yeas—Messrs. Brown, Clark, Ferguson, McKean, and Ringgold.

Nays—Messrs. Ball, Hill, Izard, Martin, McCamy, Saunders, Smith, Thornton, Williamson, and Mr. President.

A majority having votedin the negative, thc motion was rejected.

Mr. *Clark* moved to fill the said blank with the words "six hundred;" which motion was rejected. The yeas and nays were ordered on this motion, and were as follows:

Those who voted in the affirmative, were Messrs. Brown, Clark, Ferguson, McKean, Ringgold, Smith, and Mr. President.

Those voting in the negative, were Messrs. Ball, Hill, Izard, Martin, McCamy, Saunders, Thornton, and Williamson.

Mr. *Clark* then moved that the blank be filled with the "words five hundred and fifty;" which motion was also rejected.

The ayes and nays having been ordered, were as follows:

Ayes—Messrs. Brown, Clark, Ferguson, McKean, Ringgold, Smith, and Mr. President.

The nays were—Messrs. Ball, Hill, Izard, Martin, McCamy, Saunders, Thornton, and Williamson.

Mr. *McKean* then moved that the blank be filled with five hundred and twenty-five, which motion was rejected. The ayes and nays having been ordered on this motion, were found to be as follows:

Ayes—Messrs. Brown, Clark, Ferguson, McKean, Ringgold, Smith, and Mr. President.

Nays—Messrs. Ball, Hill, Izard, Martin, McCamy, Saunders, Thornton, and Williamson.

On motion of Mr. *Hill*, said blank was then filled with five hundred.

The ayes and nays were ordered on this motion, and were as follows:

Ayes—Messrs. Ball, Brown, Clark, Ferguson, Hill, Martin, McCamy, McKean, Ringgold, Saunders, Smith, Thornton, Williamson, and Mr. President.

Nays—Mr. Izard.

The bill, as amended, was then read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

The bill, to be entitled "An act to authorize the resignation of John Harrel, administrator of James McCormack, deceased," was taken up, read a second time, and ordered to be engrossed for a third reading on Monday.

The bill, entitled "A bill to be entitled an act to establish the county of Madison," was taken up, read a second time, and ordered to be engrossed for a third reading on Monday.

The bill, entitled "A bill to be entitled an act to establish the county of Benton," was taken up, read a second time, and ordered to be engrossed for a third reading on Monday.

The bill, entitled "A bill to be entitled an act to incorporate the town of Washington, in the county of Hempstead," was taken up, read a second time, and ordered to be read a third time on Monday.

The bill, to be entitled "An act supplementary to an act entitled an act to erect and build a court-house in the town of Washington, and for other purposes," was taken up, read a second time, and, on motion of Mr. *Hill*, laid on the table.

The bill, entitled "An act concerning the revival of statutes," was taken up, read a second time, and, on motion of Mr. *Ball*, referred to the committee on the judiciary.

The bill, entitled "An act regulating the office of the Secretary of State," was taken up, read a second time, and, on motion of Mr. *Ferguson*, referred to the committee on the judiciary.

The bill, to be entitled "An act to remove the administration of the estate of William Anthony, senior, deceased, from the county of Crawford, to the county of Johnson, was taken up, read a second time, and ordered to a third reading on Monday.

On motion of Mr. *Izard*, the preamble and resolution, submitted by him on yesterday, providing for the amendment of the 16th section of the 5th article, of the constitution, was now taken up, and read a first time.

Mr. *Smith* moved that the resolution be laid on the table until the first of March; which was rejected.

On motion, the ayes and nays were required, and were as follows:

Ayes—Messrs. Clark, Ferguson, Ringgold, Saunders, and Smith.

Nays—Messrs. Ball, Brown, Hill, Izard, Martin, McCamy, McKean, Thornton, Williamson, and Mr. President.

The question then recurred on ordering the resolution to its second reading.

On this the ayes and nays were required, and were as follows:

Ayes—Messrs. Ball, Brown, Hill, Izard, McCamy, Martin, McKean, Thornton, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, Ringgold, Smith, and Saunders.

Two thirds of the members present having voted in the affirmative, the resolution was ordered to a second reading on Monday.

Mr. Roberts presented a message from the House of Representatives, informing the Senate that bills with the following titles had passed the House, and were transmitted to the Senate for their concurrence, to wit:

An act, entitled "An act to change the name of Searcy county," and, also, an act, entitled "An act for the election of new commissioners for the county of Izard, and other purposes;" both of which bills were severally read a first time, and ordered to a second reading on Monday.

The bill, from the Senate, entitled "A bill, entitled an act appointing commissioners to superintend the building of a jail in the town of Marion, and county of Crittenden, and for other purposes," was returned to the Senate, with a message from the House, by Mr. Roberts, informing the Senate that the same had passed the House of Representatives, and was returned to the house in which it originated.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

MONDAY, *September 26th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill, entitled "An act concerning the revival of statutes," reported the same with an amendment, which amendment was adopted.

Mr. *Ferguson*, according to notice previously given, asked and obtained leave to introduce a bill, entitled "A bill to be entitled an act to locate the seat of justice of Mississippi county, and for other purposes;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Williamson* asked and obtained leave to introduce a bill, entitled "A bill to be entitled an act supplemental to amend the laws now in force concerning ferries and ferry landings;" which was read a first time, and, ordered to a second reading on to-morrow.

Mr. *Ringgold* introduced the following resolution, to wit:

Resolved, by the General Assembly of the State of Arkansas, That the senators and representative in Congress from this State, be requested to use their exertions to procure the passage of a law, authorizing the appointment of commissioners to view and mark out a road as the continuation of the Cumberland national road, from Saint Louis to Batesville, on White river, thence to Little Rock the seat of government of this State, and south to Washington, Hempstead county, and thence to Fulton, on big Red river.

Resolved, That the Governor of this State be requested to forward one copy of the foregoing resolution to each of the members of Congress from this State, at the next session, and one copy to the Governor of Missouri, and request him to lay the same before the General Assembly of his State, for their co-operation, in extending the same through the counties of their State.

Mr. *Williamson*, on leave granted, presented a memorial praying of the Congress of the United States the passage of a pre-emption law; which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Thornton* asked and obtained leave to introduce a bill, entitled "A bill to be entitled an act prohibiting certain persons from holding office;" which was read a first time, and ordered to a second reading on to-morrow.

John McLain, Senator from the senatorial district, composed of the counties of Pulaski, White, and Saline, on this day came forward, produced his credentials, was qualified, and took his seat.

On motion of Mr. *Ferguson*, the orders of the day were now taken up.

The bill, entitled "A bill to be entitled an act to authorize the resignation of John Harrel, administrator of James McCormack, deceased, was taken up, read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

The bill, entitle "A bill to be entitled an act to establish the county of Madison," w taken up, read a third time on its final passage, passed, and sent the House of Representatives for their concurrence.

The bill, entitled "A bill to be entitled an act to establish the county of Benton," was taken up, read a third time on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled "A bill to be entitled an act to fix the seat of justice of Washington county, and for other purposes," was taken up, read a second time, and ordered to be engrossed for a third reading on to-morrow.

The bill from the House, to be entitled "An act to remove the administration of the estate of William Anthony, senior, deceased, from the county of Crawford to the county of Johnson," was taken up, and, on motion of Mr. *Willamson*, amended, by striking out the third section of the bill; read a third time on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled "A bill to be entitled an act to incorporate the town of Washington, in the county of Hempstead," was taken up, and, on motion of Mr. *Hill*, ordered to lie on the table.

The bill, entitled "An act entitled an act to change the name of Searcy county," was taken up, and read a second time.

Mr. *Ringgold* moved that said bill be postponed indefinitely, which was rejected.

On this motion the ayes and nays were required, and were as follows:

Ayes—Messrs. Clark, Ferguson, McKean, McLain, Ringgold, and Smith.

Nays—Messrs. Ball, Brown, Hill, Izard, McCamy, Martin, Saunders, Thornton, Williamson, and Mr. President.

On motion of Mr. *Saunders*, the bill was now ordered to be read a third time on to-morrow.

The bill entitled "An act for the election of new commissioners for the county of Izard, and for other purposes," was taken up, read a second time, and ordered to a third reading on to-morrow.

The preamble and resolution providing for the amendment of the 16th section of the 5th article of the constitution," was now taken up, and read a second time.

Mr. *Izard* moved that it be ordered to a third reading on to-morrow.

On this motion, the ayes and noes were required, and were as follows:

Ayes—Messrs. Ball, Brown, Hill, Izard, McCamy, Martin, McKean, Saunders, Thornton, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, McLain, Ringgold, and Smith.

It appearing that two-thirds of the members present had voted for the motion, it was accordingly ordered to a third reading on to-morrow.

On motion of Mr. *Ball*, the bill from the House, entitled "An act concerning the revival of statutes," was taken up, read a third time on its final passage, passed, and returned to the House of Representatives.

A message from the Governor, was presented by his private Secretary, John J. Clendenin, informing the Senate that he had approved and signed the act, entitled "An act authorizing the appointment of trustees to the Batesville Academy.

Mr. Adams presented a message from the House of Representatives, informing the Senate that a bill had passed the House, and was therewith transmitted for the concurrence of the Senate, entitled "An act authorizing the surviving administrator of William Newland, late of Lawrence county, in this State, to settle said estate;" which was read a first time.

On motion of Mr. *Smith*, the rules were dispensed with, and said bill read a second time.

On motion of Mr. *Smith*, the rules were again dispensed with, the bill read a third time on its final passage, passed, and was returned to the House of Representatives.

Mr. Adams presented a message from the House of Representatives informing the Senate that the following bills, which had originated in the Senate, had passed the House and were therewith returned to the Senate, to wit:

A bill, to be entitled "An act to authorize the removal of the administration of the estate of Rufus K. Garland, deceased, from Lafayette county to Hempstead county," and, also, the bill, entitled "A bill to be entitled an act supplementary to an act appointing commissioners to superintend the building of a court-house and jail in the town of Columbia, for the benefit of the citizens of Chicot county, approved the 27th of October, 1835."

On motion, the Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

TUESDAY, *September 27th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Clark*, from the committee on enrollments, reported, as correctly enrolled, bills, with the following titles, to wit:

"An act to appoint commissioners to superintend the building of a jail in the town of Marion, and county of Crittenden, and for other purposes;" and, also, an act entitled "An act to authorize the removal of the administration of the estate of Rufus K. Garland, deceased, from Lafayette county to Hempstead county;" and, also, "An act entitled an act supplementary to an act appointing commissioners to superintend the building of a court-house and jail in the town of Columbia, for the benefit of the citizens of Chicot, approved the 27th day of October, 1835;" and, also, "An act authorizing the surviving administrator of William Newland, late of Lawrence county, in this State, to settle said estate.

Mr. Royston presented a message from the House of Representatives, informing the Senate that a bill, to be entitled "An act to authorize the Governor of the State to perform certain acts," had passed the House, and was therewith transmitted for their concurrence; whereupon, the said bill was taken up, and read a first time.

On motion of Mr. *Clark*, the rules were dispensed with, the bill read a second time, and ordered to a third reading on to-morrow.

On motion of Mr. *Izard*, the orders of the day were now taken up.

The bill, entitled "A bill to be entitled an act to fix the seat of justice of Washington county, and for other purposes," was taken up, and amended, read a third time on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled "An act to change the name of Searcy county," was taken up; and, on motion of Mr. *Ball*, by striking out the 4th section, read a third time on its final passage, passed, and was returned to the House of Representatives.

On the question, Shall this bill pass? the ayes and nays were required, and were as follows:

Ayes—Messrs. Ball, Brown, Hill, Izard, Kuykendall, McCamy, Saunders, Thornton, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, McKean, McLain, Ringgold, and Smith.

The bill, entitled "An act for the election of new commissioners for the county of Izard, and other purposes," was taken up, read a third time on its final passage, passed, and returned to the House of Representatives.

The preamble and resolution providing for the amendment of the 16th section, of the 5th article of the constitution, was taken up, and read a third time on its final passage.

On the question Shall the resolution pass? the ayes and nays were required, and were as follows:

Yeas—Messrs. Ball, Brown, Hill, Izard, Kuykendall, McCamy, Martin, McKean, Saunders, Thornton, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, McLain, Ringgold, and Smith.

Two-thirds of the members present having voted in the affirmative, the resolution passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled "A bill to be entitled an act supplemental to amend the laws now in force, concerning ferries and ferry landings, was taken up, read a second time, and referred to a select committee, consisting of Messrs. Ferguson, Williamson, and McLain.

The bill, entitled "A bill to be entitled an act to locate the seat of justice of Mississippi county, and for other purposes, was taken up, read a second time, and ordered to a third reading on to-morrow.

The bill, entitled "A bill to be entitled an act, prohibiting certain persons from holding office," was taken up, read a second time, and referred to the committee on the judiciary.

The memorial, praying of the Congress of the United States the passage of a pre-emption law, was taken up, read a second time, and referred to the committee on memorials.

The resolution submitted by Mr. *Ringgold*, on yesterday, providing for the continuation of the Cumberland national road, through Missouri and Arkansas, was taken up, read, and, on motion, of Mr. *McCamy*, ordered to lie on the table.

On motion of Mr. *Smith*, Mr. *Ferguson* was added to the committee on public buildings; and,

On motion of Mr. *Brown*, Mr. *McCamy* was added to the same committee; and,

On motion of Mr. *Ferguson*, Mr. *Ball* was added to the committee on memorials.

Mr. Royston presented a message from the House of Representatives, informing the Senate that bills, with the following titles, which had originated in the Senate, had passed the House, and were returned to the Senate, to wit:

"An act to prolong the time for calling in the scrip or county certificates of Crawford county;" and a bill, entitled "A bill to compensate C. F. M. Noland."

Mr. *Brown* moved that he have leave to reconsider his vote, ordering the bill, entitled "An act to authorize the Governor of the State to perform certain acts," to a third reading on to-morrow; which motion was agreed to.

On motion of Mr. *Brown*, the rules were dispensed with.

Said bill was read a third time on its final passage, passed, and was returned to the House of Representatives.

Mr. *Hill* moved to take up the resolution, which lies on the table, providing for a revision, digest, and arrangement, of the laws of Arkansas; which motion was negatived.

Mr. Hoge presented a message from the House of Representatives, informing the Senate that a bill, entitled "An act prescribing the powers and duties of the Supreme Court," had passed the House, and was therewith transmitted for their concurrence; whereupon, said bill was read a first time, and ordered to a second reading on to-morrow.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

WEDNESDAY, *September 28th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson*, from the committee on memorials, to whom had been referred the memorial, praying of the Congress of the United States the passage of a pre-emption law, reported the same with an amendment; which amendment was adopted.

Mr. *Clark*, from the committee on enrollments, reported, as correctly enrolled, bills, with the following titles, to wit:

"An act to prolong the time for calling in the scrip or county certificates of Crawford county;" also, "An act to compensate C. F. M. Noland;" also, "An act to change the name of Searcy county;" and "An act to authorize the Governor of the State to perform certain acts."

Mr. *Ferguson*, from the select committee to whom had been referred the bill, entitled "A bill to be entitled an act supplemental to amend the laws now in force, concerning ferries and ferry landings," reported the same, with an amendment; which amendment was adopted.

Mr. *Smith* asked and obtained leave to introduce a bill, entitled "An act to amend an act entitled an act amendatory of an act now in force for the relief of paupers;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Ferguson* introduced the following resolution, which was rejected:

Resolved, That the Senate and House of Representatives proceed to the election of a public printer for the State of Arkansas, this day, at 12 o'clock.

Mr. *Saunders* introduced the following resolution, which was adopted:

Resolved, That the committee on memorials be requested to inquire into the expediency of memorializing Congress for an appropriation to open a road from Little Rock, the seat of government of Arkansas, by the way of Bear Creek, in Marion county, thence the nearest and best route to the seat of government in the State of Missouri.

Mr. *Ball* asked and obtained leave to introduce a bill, entitled "A bill to be entitled an act regulating the duties of Auditor and Treasurer;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Brown* asked and obtained leave to introduce a bill entitled "A bill to be entitled an act to regulate the office of Sheriff;" which was read a first time, and ordered to a second reading on to-morrow.

On motion of Mr. *Ringgold*, the Senate now took up the resolution providing for a continuation of the Cumberland national road through the States of Missouri and Arkansas.

Mr. *McCamy* moved to amend said resolution; when, on motion of Mr. *Izard*, both amendment and resolution were laid on the table.

Mr. *Brown*, on leave granted, introduced a bill, entitled "A bill to be entitled an act to regulate clerks;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. Royston presented a message from the House of Representatives, informing the Senate that a resolution had passed the House, fixing on Saturday, at half past 11 o'clock, for the election of three supreme judges, auditor, treasurer, and public printer, and, also, "An act affixing salaries to certain offices in the State of Arkansas," and asking the concurrence of the Senate therein; whereupon, said bill was read a first time.

Mr. *Izard* moved to dispense with the rules, and that the bill be read a second time; which motion was negatived, and the bill ordered to a second reading on to-morrow.

The resolution accompanying said message, on motion of Mr. *Hill*, was laid on the table.

On motion of Mr. *Ferguson*, the orders of the day were now taken up.

The bill entitled "An act to locate the seat of justice of Mississippi county, and for other purposes," was taken up, read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

The bill, entitled "A bill for the appointment of Notaries Public," was taken up, read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

The bill, entitled "A bill entitled an act prescribing the powers and duties of the supreme court," was taken up, read a second time, and referred to the committee on the judiciary.

Mr. Alston presented a message from the House of Representatives, informing the Senate that a bill, entitled "An act to alter, and more particularly designate, the eastern boundary line of the county of Johnson, on the north side of the Arkansas river," had passed the House, and was therewith transmitted for the concurrence of the Senate; whereupon, said bill was read a first time, and ordered to a second reading on to-morrow.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

THURSDAY, *September 29th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill, entitled "An act prescribing the powers and duties of the supreme court," reported the same with amendments, which amendments were adopted.

Mr. *Thornton*, from the committee on the judiciary, to whom had been referred the bill, entitled "A bill to be entitled an act, prohibiting certain persons from holding office," reported the same, with an amendment; which amendment was adopted, and the bill referred to the committee of the whole, and made the order of the day for Saturday next.

Mr. Tidwell presented a message from the House of Representatives, informing the Senate that the following bills, to-wit: a bill, entitled "A bill to be entitled an act to establish the county of Madison," also, a bill, entitled "A bill to be entitled an act to establish the county of Benton," and, also, a bill, entitled "A bill to be entitled an act to authorize the resignation of John Harrel, administrator of James McCormack, deceased," which had originated in the Senate, had passed the House, and were therewith returned to the Senate.

And that the following bills had originated in and passed the House, and were therewith transmitted for the concurrence of the Senate, to wit:

"A bill, entitled an act appointing commissioners to superintend the building of a court-house and jail in the town of Helena, the seat of justice for the county of Phillips;" and, also, "A bill, entitled an act to ascertain and adjust the amount of certain claims against the county of Monroe in favor of the county of Philips, and to provide for the payment of the same;" whereupon, said bills were severally read a first time, and ordered to a second reading on to-morrow.

Mr. *Brown* asked and obtained leave to introduce bills with the following titles, to wit:

"A bill, entitled a bill concerning constables," and, "A bill, entitled a bill concerning accessories," and, also, "A bill, entitled an act to compensate the Auditor for extra labor;" all of which were severally read a first time, and ordered to a second reading on to-morrow.

Mr. *Brown* asked and obtained leave to introduce bills, with the following titles, to wit:

A bill, entitled "A bill concerning constables;" and a bill, entitled "A bill concerning accessories;" and, also, a bill, entitled "An act to compensate the Auditor for extra labor;" all of which were severally read a first time, and ordered to a second reading on to-morrow.

On motion of Mr. *Smith*, the orders of the day were now taken up.

The bill, entitled "An act to amend an act entitled an act amendatory of an act now in force for the relief of paupers," was taken up, read a second time, and ordered to be engrossed for a third reading on to-morrow.

The bill, entitled "A bill to be entitled an act regulating the duties of Auditor and Treasurer," was taken up, read a second time, ordered to be committed to the committee of the whole, and made the order of the day for Monday next.

The bill, entitled "A bill to be entiled an act to regulate the office of Sheriff," was taken up, read a second time, and referred to the committee on the judiciary.

The bill, entitled "A bill to be entitled an act to regulate clerks," was taken up, read a second time, and referred to the committee on the judiciary.

The memorial praying of Congress a pre-emption law, was taken up, read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

The bill, entitled "An act affixing salaries to certain offices in the State of Arkansas," was taken up, and read a second time.

On motion of Mr. *Smith*, the Senate resolved itself into a committee of the whole, Mr. *Clark* in the chair, on said bill; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Clark* reported, that the committee had had said bill under consideration, had gone through the same, and begged leave to report the bill with an amendment; which amendment was adopted.

On motion of Mr. *Izard*, the rules were dispensed with, the bill, as amended, read a third time on its final passage, passed, and sent to the House of Representatives for their concurrence.

The bill, entitled "A bill to be entitled an act supplemental to amend the laws now in force concerning ferries and ferry landings," was taken up, read a third time on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled "An act, to alter and more particularly designate the eastern boundary line of the county of Johnson, on the north side of the Arkansas river," was taken up, read a second time, and ordered to a third reading on to-morrow.

A message from the Governor was presented by J. J. Clendenin, his private Secretary, informing the Senate that he had approved and signed the following bills, to wit:

An act to compensate C. F. M. Noland; an act to prolong the time for calling in the scrip or county certificates of Crawford county;

an act to authorize the removal of the administration of the estate of Rufus K. Garland, deceased, from Lafayette county to Hempstead county; an act supplementary to an act appointing commissioners to superintend the building of a court-house and jail in the town of Columbia, for the benefit of the citizens of Chicot county, approved the 27th day of October, 1835; and an act to appoint commissioners to superintend the building of a jail in the town of Marion, and county of Crittenden, and for other purposes.

Mr. Tully presented a message from the House of Representatives, informing the Senate that the bill from the Senate, entitled "A bill to be entitled an act to fix the seat of justice of Washington county, and for other purposes," had passed the House, with amendments, and was therewith transmitted for the concurrence of the Senate; whereupon, said amendments were adopted, and the House informed thereof.

Mr. Tully also presented a message from the House, informing the Senate that the House concurred in the amendment of the Senate, to be entitled "An act concerning the revival of statutes," and that bills with the following titles had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit:

A bill, entitled "An act to establish and regulate a county treasury in each county;" and a bill, entitled "An act to remove the seat of justice of Union county;" whereupon, said bills were severally read a first time, and the bill, entitled "An act to establish and regulate a county treasury in each county," was ordered to a second reading on to-morrow.

On motion of Mr. *Clark*, the bill, entitled "An act to remove the seat of justice of Union county," was ordered to lie on the table.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

FRIDAY, *September 30th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Clark*, from the committee on enrollments, reported, as correctly enrolled, bills, with the following titles, to wit:

An act for the election of new commissioners for the county of Izard, and for other purposes; An act concerning the revival of statutes; An act to fix the seat of justice of Washington county, and for other purposes; An act to establish the county of Madison; An act to establish the county of Benton; An act to authorize the resignation of John Harrel, administrator of James McCormack, deceased.

On motion of Mr. *Smith*, the resolution from the House of Representatives, fixing on Saturday next, at half past 11 o'clock, for the election of Public Printer, Treasurer, Auditor, and three Supreme Judges, for the State of Arkansas, was taken up and concurred in, and the House of Representatives informed thereof.

Mr. *McCamy* introduced the following resolution, which was adopted:

On this motion, the ayes and noes were as follows:

Ayes—Messrs. Ball, Brown, Hill, Izard, Kuykendall, McCamy, McKean, McLain, Saunders, Smith, Thornton, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, and Ringgold,

Resolved, by the Senate and House of Representatives, That a committee, to consist of one member on the part of the Senate, and two members on the part of the House of Representatives, be appointed to wait on James Boone, and other members of this General Assembly, who are detained at their rooms in this city by sickness, and take their votes for Judges of the Supreme Court, Auditor, Treasurer, and Public Printer; which votes, when taken and recorded, shall have the same effect as if such members were personally present at the election; and that the Secretary of the Senate, and principal Clerk of the House of Representatives, accompany said committee.

Mr. *McCamy* was appointed said committee on the part of the Senate, and the House of Representatives informed thereof, and of the adoption of said resolution, and their concurrence asked therein.

Mr. *Williamson* asked and obtained leave to introduce a bill, entitled "A bill to be entitled an act defining the punishment to be inflicted on persons guilty of the crime of maiming;" which was read a first time, and ordered to a second reading on to-morrow.

On motion of Mr. *Clark*, the orders of the day were now taken up.

The bill, entitled "An act to amend an act entitled an act amendatory of an act now in force for the relief of paupers," was taken up, read a third time on its final passage, and sent to the House of Representatives for their concurrence.

The bill, entitled "A bill concerning constables," was taken up, read a second time, referred to the committee of the whole, and made the order of the day for Monday next.

The bill, entitled "A bill concerning accessories," was taken up, read a second time, referred to the committee of the whole, and made the order of the day for to-morrow.

The bill, entitled "An act to compensate the Auditor for extra labor," was taken up, read a second time, referred to the committee of the whole, and made the order of the day for to-morrow.

The bill, entitled "An act prescribing the powers and duties of the Supreme Court," was taken up, read a third time on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled "An act to establish and regulate a county treasury in each county," was taken up, read a second time, and referred to the committee on the judiciary.

The bill, entitled "An act to alter and more particularly designate the eastern boundary line of the county of Johnson, on the north side of the Arkansas river," was taken up, and, on motion of Mr. *Williamson*, laid on the table.

The bill, entitled "An act appointing commissioners to superintend

the building of a court-house and jail in the town of Helena, the seat of justice for the county of Phillips," was taken up, read a second time, referred to the committe of the whole, and made the order of the day for to-morrow.

The bill, entitled "An act to ascertain and adjust the amount of certain claims against the county of Monroe, in favor of the county of Phillips, and to provide for the payment of the same," was taken up, read a second time, and ordered to a third reading on to-morrow.

Mr. Tecvault presented a message from the House of Representatives, informing the Senate that the following bills, which had originated in the Senate, had passed the House, and were therewith returned, to wit:

"A bill for the appointment of notaries public," and a bill, to be entitled "An act to locate the seat of justice of Mississippi county, and for other purposes;" and that the following bills, which had originated in and passed the House, were therewith transmitted for the concurrence of the Senate, to wit:

A bill entitled "An act to authorize the administrator of James Radclift, deceased, to make title to a certain tract of land;" also, a bill, entitled "An act to prescribe the duties of the Governor of this State, in certain cases;" and, also, a bill, entitled "An act to appoint commissioners permanently to locate the seat of justice of Saline county;" whereupon, said bills were severally read a first time, and ordered to a second reading on to-morrow.

Mr. Adams presented a message from the House of Representatives, informing the Senate that bills, with the following titles, had been introduced into the House, to wit:

A bill, entitled "An act to authorize the removal of the administration of William Wood, deceased, from the county of Marion, late Searcy, to the county of Crawford;" a bill, entitled "An act to establish the office of Attorney General for the State;" a bill, entitled "An act to provide for the election of commissioners, to locate the seat of Justice of Crawford county;" and a bill, entitled "An act to define the duties of constables, and for other purposes."

Mr. Hoge presented a message from the House of Representatives, informing the Senate that the House concurred in the amendments of the Senate to the bill, entitled "An act prescribing the powers and duties of the Supreme Court."

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

SATURDAY, *October* 1*st*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit:

"An act to locate the seat of justice of Mississippi county, and for other purposes;" "An act for the appointment of notaries public;" "An act prescribing the powers and duties of the Supreme Court;" and "An act affixing salaries to certain offices in the State of Arkansas."

On motion of Mr. *Williamson*, the bill, entitled "An act to alter and more particularly designate the eastern boundary line of the county of Johnson, on the north side of the Arkansas river," was taken up, and amended, read a third time on its final passage, passed, and was returned to the House of Representatives for their concurrence.

Mr. Tully presented a message from the House of Representatives, informing the Senate, that an ordinance, accepting, ratifying, and irrevocably confirming the propositions set forth in an act of Congress, entitled "An act supplementary to the act entitled an act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes," had passed the House, and was therewith transmitted for the concurrence of the Senate; whereupon, said ordinance was read a first time, and ordered to a second reading on Monday.

On motion of Mr. *Williamson*, the orders of the day were now taken up.

The bill, entitled "A bill to be entitled an act defining the punishment to be inflicted on persons guilty of the crime of maiming," was taken up, read a second time, and referred to the committee on the judiciary.

The bill, entitled "An act to ascertain and adjust the amount of certain claims against the county of Monroe, in favor of the county of Phillips, and to provide for the payment of the same," was taken up, amended by striking out the 7th section, read a third time on its final passage, passed, and was returned to the House of Representatives for their concurrence.

The bill, entitled "An act to authorize the administrator of James Radcliff, deceased, to make title to a certain tract of land," was taken up, read a second time, and referred to the committee on the judiciary.

The bill, entitled "An act to prescribe the duties of the Governor of this State, in certain cases," was taken up, read a second time, and referred to a select committee, consisting of Messrs. Izard, Hill, and Saunders.

The bill, entitled "An act to appoint commissioners permanently to locate the seat of justice of Saline county," was taken up, read a second time, and referred to a select committee, consisting of Messrs. McLain, Thornton, and Martin.

A message from the Governor was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed the following bills, to wit:

An act to establish the county of Madison; an act to erect and establish the county of Benton; an act to fix the seat of justice of Wash-

ington county, and for other purposes; and an act to authorize the resignation of John Harrel, administrator of James McCormack, deceased.

Also, at the same time, was presented the following other message:

EXECUTIVE OFFICE, LITTLE ROCK, 1st *October*, 1836.

To the President of the Senate:

SIR—In accordance with the resolution of the Senate, requesting the Governor to communicate to that body, copies of the correspondence between the different Governors of the Territory of Arkansas, and the Secretary of the Treasury, and commissioner of the General Land-office, in relation to the location and disposal of the seventy two sections of seminary lands; I herewith transmit copies of all the correspondence, on that subject, on file in the executive office.

J. S. CONWAY.

On motion of Mr. *Clark*, all the documents accompanying the above message of the Governor, were referred to the committee on education and university lands.

Mr. Smith presented a message from the House of Representatives, informing the Senate that the following bills had passed the House, and were therewith transmitted for their concurrence, to-wit:

A bill, entitled "An act to authorize the removal of the administration on the estate of William Wood, deeeased, from the county of Marion, late the county of Searcy, to the county of Crawford;" and a bill, entitled "An act to divide the State into judicial circuits;" and, also, that the memorial from the Senate, praying of Congress the extension of the pre-emption laws, had passed the House with an amendment; and was therewith returned to the Senate for their concurrence.

The hour having now arrived, which the two houses had previously fixed upon, for the election of three Supreme Judges, Auditor, Treasurer, and Public Printer, the Senate repaired to the hall of the House of Representatives for the purpose aforesaid.

For the Supreme Judgeships, the following gentlemen were put in nomination:

Mr. *Smith*, of the Senate, nominated Townsend Dickinson; Mr. *Byrd* nominated Daniel Ringo; Mr. *Tolleson* nominated Thomas J. Lacy; Mr. *Brown* nominated William McKnight Ball; Mr. *Philips* nominated Sam C. Roane; and Mr. *Adams* nominated Samuel S. Hall.

The Senators who voted for Mr. Dickinson, were—Messsrs. Ball, Clark, Ferguson, Hill, Izard, Martin, McCamy, McKean, McLain, Ringgold, Saunders, Smith, Thornton, and Roane.

Those who voted for Mr. Ringo, were—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, Martin, McKean, McLain, Ringgold, Smith, Thornton, and Roane.

Those who voted for Mr. Lacy, were—Messrs. Clark, Ferguson, Izard, Martin, McKean, McLain, Ringgold, Smith, and Williamson.

Those who voted for Mr. Ball, were—Messrs. Brown, Kuykendall, McCamy, Saunders, Williamson, and Roane.

Those who voted for Mr. Roane, were—Messrs. Ball, Brown, Hill, Kuykendall, McCamy, Saunders, and Thornton.

Those who voted for Mr. Hall, were—Messrs. Kuykendall and Williamson.

The result of the joint vote of the two houses, was as follows:

Dickinson had fifty-four votes, Ringo had fifty votes, Lacy had thirty-nine votes, Ball had thirty votes, Roane had twenty-four votes, and Hall had thirteen votes.

Townsend Dickinson, Daniel Ringo, and Thomas J. Lacy, having each received a majority of all the votes present, were declared duly and constitutionally elected Judges of the Supreme Court, for the term prescribed by the constitution.

The President of the Senate and the Speaker of the House of Representatives, in the presence of both houses, then proceeded, as the constitution directs, to classify the Judges of the Supreme Court. The following was the result:

Daniel Ringo holds his office for eight years; Townsend Dickinson holds his office for six years; and Thomas J. Lacy holds his office for four years.

The two houses then proceeded to the election of Auditor.

Mr. *Royston* nominated Elias N. Conway.

The Senators who voted for Conway, were—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, Kuykendall, Martin, McCamy, McKean, McLain, Ringgold, Saunders, Smith, Thornton, Williamson, and Roane.

The result of the joint vote of both houses, was, for Conway—seventy votes.

Elias N. Conway having received a majority of all the votes, was declared duly and constitutionally elected Auditor, for the term prescribed by the constitution.

The two houses then proceeded to the election of Treasurer.

Mr. *Williamson*, of the Senate, nominated William E. Woodruff, and Mr. *Blackmore* nominated David Fulton.

The Senators who voted for Woodruff, were—Messrs. Ball, Brown, Hill, Izard, McCamy, Saunders, Smith, Thornton, Williamson, and Roane.

Those who voted for Mr. Fulton, were—Messrs Clark, Ferguson, Kuykendall, Martin, McKean, McLain, and Ringgold.

The result of the joint vote of both houses, was as follows:

For Woodruff, forty votes; for Fulton thirty votes.

William E. Woodruff, having received a majority of all the votes, was declared duly and constitutionally elected Treasurer, for the term prescribed by the constitution.

The two houses then proceeded to the election of Public Printer.

Mr. *Philips* nominated Messrs. Woodruff and Pew, publishers of the Gazette; Mr. *Drennen* nominated J. H. Reed, editor of the Times, and Mr. *Ferguson* nominated William E. Woodruff.

The Senators who voted for Messrs Woodruff & Pew, were—Messrs.

Ball, Brown, Hill, Izard, Kuykendall, Martin, McCamy, McKean, Saunders, Smith, Thornton, and Williamson.

Those who voted for Mr. Reed, were—Messrs. Clark, McLain, and Ringgold.

Those who voted for Mr. Woodruff, were—Messrs. Ferguson and Roane.

The result of the joint vote of both houses, was as follows:

For Woodruff & Pew, fifty votes; for Reed, fourteen votes; and for Woodruff, five votes.

Messrs. Woodruff & Pew, having received a majority of all the votes, was declared duly elected Public Printers.

The Senate then repaired to their chamber; when, on motion, they adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

MONDAY, *October 3d*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill, entitled "An act to authorize the administrator of James Radclift, deceased, to make title to a certain tract of land, reported, that the committee had had the same under consideration, and that from the provisions of the bill, it appears that the lands for which provision is made for making the title, are situate in the State of Mississippi, and were sold to one Benjamin May in the life time of said Radclift; and, without entering into a legal discussion of the effect of legislating in relation to individual property, your committee are of opinion that it is beyond the power of the General Assembly of this State, to pass laws authorizing the making or completing of titles to real estate situate in a sister State; and that any act passed by this General Assembly in relation to this subject, would be nugatory and void; and that it is fair to presume that the laws of the State of Mississippi will afford ample relief in all such cases. This being the unanimous opinion of your committee, they recommend that the bill in question be indefinitely postponed.

On motion of Mr. *Izard*, the above report of the committee was concurred in, and said bill indefinitely postponed.

Mr. *Izard*, from the committee on the judiciary, to whom had been referred the bill, entitled "An act regulating the office of the Secretary of State," reported the same, with an amendment; which amendment was adopted.

Mr. *Brown*, from the committee on the judiciary, to whom had been referred the bill, entitled "A bill to be entitled an act to regulate clerks," reported the same, with an amendment; which amendment was adopted.

Mr. *Thornton*, from the committee on the judiciary, to whom had

been referred the bill, entitled "An act to establish and regulate a county treasury in each county," reported the same, with amendments, which were adopted.

Mr. *Ball* asked and obtained leave to introduce the following bills, to wit:

A bill, entitled "A bill providing for the administering of oaths of office;" and a bill, to be entitled "An act prescribing the manner of electing Senators from this State to the Congress of the United States, and the form of their credentials;" both of which were severally read a first time, and ordered to a second reading on to-morrow.

Mr. *Ball* also submitted a resolution, requiring the result of certain elections to be certified to the Governor.

Mr. *Ringgold* asked and obtained leave to introduce a bill, entitled "An act providing for taking the census of the State of Arkansas;" which was read a first time, and ordered to a second reading on to-morrow.

The amendment of the House of Representatives to the memorial praying of Congress the extension of the pre-emption law, was, on motion of Mr. *Ferguson*, concurred in, and the House informed thereof.

The bill, entitled "An act to authorize the removal of the administration on the estate of William Wood, deceased, from the county of Marion, late the county of Searcy, to the county of Crawford," was read a first time, and ordered to a second reading on to-morrow.

The bill, entitled "An act to divide the State into judicial circuits," was read a first time; and, on motion of Mr. *Ball*, the rules were dispensed with, and the bill read a second time.

Mr. *Ball* then moved that the bill be referred to the committee on the judiciary; which was negatived.

On motion of Mr. *Ferguson*, said bill was then referred to the committee of the whole, and made the order of the day for to-morrow.

A message from the Governor was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed the following bills, to wit:

"An act for the appointment of notaries public," and "An act to locate the seat of justice of Mississippi county, and for other purposes."

Mr. Royston presented a message from the House of Representatives, informing the Senate of the adoption of the following resolution, and asking their concurrence therein, to wit:

Resolved, by the General Assembly of the State of Arkansas, That Daniel Ringo, one of the Judges of the Supreme Court, be, and he is hereby, styled Chief Justice of the Supreme Court of the State of Arkansas.

On motion of Mr. *Ferguson*, the above resolution was laid on the table.

Mr. Taylor presented a message from the House of Representatives, informing the Senate of the passage through the House of the following bill, and asking the concurrence of the Senate therein, to wit:

"An act to permanently locate the seat of justice of Monroe county, and for other purposes."

Whereupon, said bill was read a first time, and ordered to a second reading on to-morrow.

On motion of Mr. *Kuykendall*, the orders of the day were now taken up.

The ordinance accepting, ratifying, and irrevocably confirming the propositions set forth in an act of Congress, entitled "An act supplementary to the act entitled an act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes," was taken up, and read a second time, referred to the committee of the whole, and made the order of the day for to-morrow.

On motion of Mr. *Martin*, the Senate then resolved itself into a committee of the whole, Mr. *Ringgold* in the chair, on the bill, entitled "An act appointing commissioners to superintend the building of a court-house and jail in the town of Helena, the seat of justice for the county of Phillips;" and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Ringgold* reported, that the committee had had said bill under consideration, had gone through the same, and begged leave to report the same, with an amendment; which amendment was adopted.

On motion of Mr. *Ferguson*, the rules were dispensed with, and said bill read a third time, on its final passage, passed, and was returned to the House of Representatives.

On motion of Mr. *Brown*, the Senate then resolved itself into a committee of the whole, Mr. *Ferguson* in the chair, on the bill, entitled "A bill to be entitled an act prohibiting certain persons from holding office."

After some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Ferguson* reported, that the committee had had the said bill under consideration, and begged leave to report the same, without amendment.

On motion of Mr. *Thornton*, said bill was referred to a select committee, consisting of Messrs. Izard, Hill, and Saunders.

On motion of Mr. *Izard*, Mr. Thornton was added to said committee.

On motion of Mr. *Ferguson*, the Senate then resolved itself into a committee of the whole, Mr. *Brown* in the chair, on the bill, entitled "A bill concerning accessories; and after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Brown* reported, that the committee had had the said bill under consideration, had gone through the same, and begged leave to report the same, with amendments; which amendments were adopted.

On motion of Mr. *Ferguson*, said bill was then referred to the committee on the judiciary.

On motion of Mr. *Brown*, the Senate then resolved itself into a committee of the whole, Mr. *McCamy* in the chair, on the bill, entitled

"An act to compensate the Auditor for extra labor;" and after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *McCamy* reported, that the committee had had the said bill under consideration, had gone through the same, and begged leave to report the same, with an amendment; which amendment was adopted.

Mr. Tidwell presented a message from the House of Representatives, informing the Senate that bills, with the following titles, had been introduced into the House, to wit:

An act to provide for the defraying of the expenses of the government; an act to change the venue in criminal cases; an act to authorize the administrator of the estate of John Friels, deceased, to sell a tract of land belonging to the estate of said deceased; an act to define the duties of constables, and for other purposes; an act to provide for the election of commissioners to locate the seat of justice of Crawford county; an act amendatory to the stray law; an act authorizing David Lowe to erect a toll-bridge across Big Bayou; and an act authorizing Joseph H. Egner, guardian to James De Witt Clinton Kelly, to sell certain property.

Mr. Lasater presented a message from the House of Representatives, informing the Senate that the following bill had passed the House, and was therewith transmitted for the concurrence of the Senate, to wit:

"An act to provide for the election of commissioners to locate the seat of justice of Crawford county."

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

TUESDAY, *October 4th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Clark*, from the committee on enrollments, reported, as correctly enrolled, the following bills and memorials, to wit:

An act to ascertain and adjust the amount of certain claims against the county of Monroe, in favor of the county of Phillips, and to provide for the payment of the same; an act to alter and more particularly designate the eastern boundary line of the county of Johnson, on the north side of the Arkansas river; and a memorial to the Congress of the United States, praying for the extension of the pre-emption laws.

Mr. *Ball*, from the committee on the judiciary, to whom was referred the bill, entitled "A bill concerning accessories," reported the same with amendments; which amendments were adopted.

Mr. *Ringgold*, from the committee on banking, submitted the following report:

The joint committee to whom was referred the subject of banking, beg leave to submit to the Legislature a few brief considerations on

the subject of banking, in support of the charters as reported by the committee.

The committee having estimated the beneficial effects of the desired institutions upon the great interests of agriculture, manufactures, and commerce, and, in fact, upon the common prosperity of all classes of the community, urge the policy of passing the charters as reported, being every way conducive to the prosperity of our new State.

South Carolina, Georgia, and Alabama, have created banks, upon their faith, and public funds, for the supply of revenue, and success has attended these institutions through a long course of years; and they have realized the great advantages anticipated, and largely contributed to their prosperity. Why not Arkansas improve their effective means and productive prerogative, for the common benefit and accommodation?

The privilege of banking is certainly of infinite value, and it is doubtless susceptible of vast improvement, as well in regard to revenue as to the convenience of the people. As regards the expediency of the measure, it might be successfully contended, that with the means derived from the general government, by the distribution of the surplus revenue from the several States, the five per centum on the sales of public land, the funds which will arise among sales of the seminary lands, and other resources, with a limited portion of the public credit, an amount of income might be derived, to meet the whole expenditures of government, in a few years, without resorting to other financial operations, but for such objects of internal improvement as the State might think best or deem necessary.

The charter of the State Bank pledges the faith of the State for one million of dollars; and it has been the policy of other States to procure means from foreign capitalists; and little doubt remains, but the present period of time is esteemed to be the most auspicious for such a purpose, as it is believed that the State could borrow any desirable amount of capital at an annual charge of five per centum, if not upon better terms. That capital being loaned at eight per centum per annum, being three per centum in favor of the State, added to a banking privilege of issuing three for one on the actual capital so vested, will produce an accumulation sufficient to redeem the whole in less than twenty years.

As a correct test of an adequate supply of circulating medium, property proportionate to the demand of industry and commerce in every civilized society, we may assume it as a principle applicable to all stages of society, that the active capital of a country should bear a fair and reasonable proportion to that which is fixed and permanent; and, whenever real estate can be converted into active capital at a fair valuation, and money can be obtained readily, at a reasonable rate of interest, on secure mortgages of real estate, that country is making rapid advances in a commercial and agricultural point of view; and without banking facilities, such cannot be the case. And Arkansas, should we not charter the banks asked for, will be at least twenty years behind where she would be, if a liberal policy is extended by the present

Legislature. The productive classes of the community are the ones engaged in agriculture. Afford them no means by loans secured by mortgages on real estate, and the operations of productive industry are thus impeded, by withholding that capital which would contribute to their prosperity. Such institutions would infuse new vigor into the industry of our new State, animate the drooping energies of those who are engaged in the cultivation, and open a large field for the profitable employment of the capital of the country.

The institutions proposed by the committee, if passed into a law, would give a new direction, as well as a new impulse to industry, and prove the means of augmenting the State revenue, by opening and improving lands which would otherwise remain idle for years.

There is no class who would not be benefitted, either directly or indirectly, by the introduction and discreet extension of banking institutions as reported by the committee. All writers on political economy, strongly support the position, that where a scarcity of circulating medium prevails, industry cannot be carried on; for those who have solid property, find it difficult to turn any commodity into money, and all energy and improvement cease; for want of means to stimulate the man, he is content to live only, not improve.

There is no view of the subject, as regards the State Bank charter, but what the result is of infinite value to the state. It will, in the first place, control our circulating medium, and give par value to our scrip in a short time; it will add great facilities to the community at large, and make a safe depository for all the resources of the State, and give us credit abroad; it will yield to the State, when in full operation, a sum not less than fifty thousand dollars per annum.

All those things properly considered, will, in the opinion of the committee, do away all those idle prejudices so commonly entertained against banking institutions, without any assignable reasons, other than those founded on want of sufficient information as regards the beneficial effects.

Mr. *Ringgold*, from the same committee, also reported a bill, to be entitled "An act to incorporate the Bank of the State of Arkansas;" which was read a first time, and, on motion of Mr. *Izard*, laid on the table.

Mr. *Smith* moved to have one hundred copies of said bill printed.

Mr. *Izard* moved that two hundred copies be printed; which was agreed to.

Mr. *McKean* moved to have 500 copies of the report of the committee on banking printed, which was negatived.

Then, on motion of Mr. *Hill*, 200 copies were ordered to be printed.

Mr. *Brown*, from the committee on the judiciary, to whom was referred the bill, entitled "An act to regulate the office of Sheriff," reported the same with amendments; which amendments were adopted.

Mr. *Ball* asked and obtained leave to introduce a bill, entitled "A bill providing the mode of establishing county lines;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Ferguson* asked and obtained leave to introduce a bill, entitled "A bill to be entitled an act establishing the prices to be paid for printing to be executed by the public printer;" which was read a first time.

Mr. *Ferguson* then moved that the rules be dispensed with, and the bill read a second time; which motion was negatived, and the bill ordered to a second reading on to-morrow.

Mr. *Clark*, on leave granted, introduced a memorial, praying of the Congress of the United States, an appropriation for the completion of the road from Columbia to Little Rock; which was read a first time.

On motion of Mr. *Clark*, the rules were dispensed with, and the memorial read a second time.

On motion of Mr. *Clark*, the rules were again dispensed with, the memorial read a third time on its final passage, passed, and was sent to the House of Representatives for their concurrence.

Mr. *Williamson* asked and obtained leave to introduce a bill, to be entitled "An act for the benefit of Samuel M. Hays, Sheriff elect for the county of Pope;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. Reagan presented a message from the House of Representatives, informing the Senate that the following bill had passed the House, and was therewith transmitted for their concurrence, to wit:

A bill, entitled "An act to authorize the Governor to order an election for a member to the House of Representatives for the county of Independence;" whereupon said bill was read a first time.

On motion of Mr. *Ringgold*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Ringgold*, the rules were again dispensed with, and said bill read a third time on its final passage, passed, and was ordered to be returned to the House of Representatives.

Mr. *McCamy* announced the death of John C. Blair, a member of this General Assembly.

Whereupon, Messrs. McCamy, Ball, and Brown, were appointed a committee on the part of the Senate, to report the proper mode of paying suitable testimonials of respect to his memory.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

WEDNESDAY, *October 5th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *McCamy*, from the select committee appointed upon that subject, reported the following arrangement for the funeral of the Hon. John C. Blair, late a member of the House of Representatives.

The clergy and committee of arrangements will precede the corpse, which will be followed by the Speaker and members of the House of

Representatives and their clerks, the President and members of the Senate and their Secretaries, then by the Governor and Secretary of State, United States Senators, and Judges of the Supreme Court, in procession of two and two, to the place of interment.

On motion of Mr. *McCamy*, the foregoing report was concurred in.

Mr. *McCamy*, from the same committee, reported the following resolution; which was unanimously adopted:

Resolved, That as a testimonial of respect for John C. Blair, late a member of the House of Representatives from the county of Washington, the members of the Senate wear crape on the left arm for thirty days.

Mr. *Ferguson* moved for leave to re-consider his vote, ordering the bill, entitled "An act to authorize the Governor to order an election for a member to the House of Representatives for the county of Independence," to a third reading; which motion was agreed to.

Mr. *Ferguson* then offered an amendment to said bill; which was adopted, the bill as amended read a third time on its final passage, passed, and was returned to the House of Representatives for their concurrence.

Mr. *Brown* introduced a resolution, authorizing the jailor of Pulaski county, to take into his custody, for safe-keeping, a certain prisoner from Crawford county; which was read a first time.

Mr. *Brown* moved to dispense with the rules, and read the resolution a second time; which was negatived, and the resolution ordered to a second reading on to-morrow.

Mr. Tully presented a message from the House of Representatives, informing the Senate that bills, with the following titles, had been introduced into the House, to wit:

An act to authorize William D. Ferguson, of Crittenden county, in this State, to build a toll bridge; an act for the relief of Stanislas Dardenne; an act to establish the Real Estate Bank of the State of Arkansas; an act concerning the former county seat of Izard county; an act more particularly defining the south-eastern boundary of Sevier county; an act to provide for the sale of the five sections of land appropriated to aid in finishing the State-house.

Also, a memorial to Congress, praying a cession or surrender to the State of all the refuse lands within the limits of the same, returned in the surveys as unfit for cultivation; a memorial praying an appropriation from Congress to open a road from the Mouth of White River to the Post of Arkansas, from thence to the Pine Bluffs, so as to intersect the military road at that point.

Also, that the following bills had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit:

"An act authorizing David Lowe to erect a toll-bridge across Big Bayou, at or near where the road crosses the same leading from Long Prairie, in Lafayette county, to Caddo Prairie, in Louisiana;" "An act to authorize the administrator of the estate of John Friels, deceased, to sell a tract of land belonging to the estate of said deceased;"

"An act authorizing Joseph H. Egner, guardian of James De Witt Clinton Kelly, to sell certain property.

The hour previously fixed upon by the committee appointed for that purpose, having arrived, the Senate now proceeded to take their allotted place in the procession which accompanied the corpse of the Hon. John C. Blair, late a member of the House of Representatives, to the place of interment.

The Senate having returned to their chamber, then, on motion, they adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

THURSDAY, *October 6th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Hill*, from the committee on the militia, reported a bill, to be entitled "An act for the organization and government of the militia of this State;" which was read a first time.

On motion of Mr. *Clark*, the rules were dispensed with, and the bill read a second time.

Said bill was then, on motion of Mr. *Clark*, ordered to be committed to a committee of the whole, and made the order of the day for to-morrow.

The following resolution, which had been previously introduced by Mr. *Ball*, was taken up, and adopted, and transmitted to the House for their concurrence, to wit:

"*Be it resolved, by the General Assembly of the State of Arkansas*, That it shall be the duty of the President of the Senate, and Speaker of the House of Representatives, immediately after the election of any officer by a joint vote of both houses of the General Assembly, who, by the constitution and laws of this State, the Governor is required to commission, to certify the result of said election to the Governor, which certificate shall be a sufficient authority to the Governor for commissioning said officer.

Mr. *McLain*, from the select committee to whom had been referred the bill, entitled "An act to appoint commissioners permanently to locate the seat of justice of Saline county," reported the same, with an amendment; which amendment was adopted.

On motion of Mr. *Hill*, the bill from the House, which had been laid on the table, entitled "An act to incorporate the town of Washington, in the county of Hempstead," was taken up, and amended, read a third time on its final passage, passed, and was returned to the House of Representatives for their concurrence.

On motion of Mr. *Ferguson*, the resolution from the House concerning the person to be styled Chief Justice, was taken up, and amended, by striking out all after the word "resolved" in the original resolution, and inserting the following:

That whereas, Daniel Ringo, Townsend Dickinson, and Thomas J. Lacy, have been duly elected Judges of the Supreme Court of the State of Arkansas, one of whom must be styled Chief Justice; and inasmuch as the said Daniel Ringo resides at the seat of government, the said Townsend Dickinson and Thomas J. Lacy consent that he shall be styled Chief Justice of said State: Therefore.

Be it resolved, by the General Assembly of the said State, That said Daniel Ringo be, and he is hereby, styled Chief Justice of the State of Arkansas.

Mr. *Smith* asked and obtained leave to introduce a memorial to the Congress of the United States, praying for an appropriation to complete the road from Helena, to Jackson, in Lawrence county; which was read a first time.

On motion of Mr. *Smith*, the rules were dispensed with, the memorial read a second time, and referred to the committee on memorials.

Mr. *Smith* also obtained leave to introduce a bill, entitled "An act to provide for the incorporation of churches;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Ringgold* introduced the following resolution, which was adopted, and transmitted to the House of Representatives for their concurrence, to-wit:

Resolved, by the General Assembly of the State of Arkansas, That our Senators and Representative in Congress be requested to use their exertions to get an act of Congress passed, vesting the Legislature with full power to sell the sixteenth section of school land in each and every township in this State, and apply the funds agreeable to the grant made by Congress; and to procure the passage of a law by Congress, authorizing the Legislature of this State to surrender to the United States such sixteenth sections as are unfit for cultivation, and to select others in lieu thereof, in the several townships in which they may be situated.

On motion of Mr. *Brown*, the resolution requiring the Jailor of Pulaski county to receive into his custody, for safe-keeping, a certain prisoner from Crawford county, was taken up.

On motion of Mr. *McCamy*, said resolution was amended, by providing that the expenses of said prisoner should be defrayed by said county of Crawford. The resolution, as amended, was then read, and rejected.

A message from the Governor was presented by J. J. Clendenin, his private Secretary, informing the Senate that he had approved and signed the memorial to the Senate and House of Representatives, in Congress assembled, asking the passage of a pre-emption law.

On motion of Mr. *Clark*, the bill, entitled "An act to remove the seat of justice of Union county," was taken up, read a second time, and referred to a select committee, consisting of Messrs. Clark, Hill, and Kuykendall.

Mr. Teevault presented a message from the House of Representatives, informing the Senate that the House concurred in the amendment

of the Senate to the bill, entitled "An act to authorize the Governor to order an election for a member of the House of Representatives for the county of Independence;" and, also, that a memorial to the Congress of the United States, asking an appropriation for the purpose of opening a road from the mouths of Arkansas and White rivers, to the Post of Arkansas, and from thence to the Pine Bluffs, in Jefferson county, had passed the House, and was therewith transmitted for the concurrence of the Senate; whereupon said memorial was read a first time, and ordered to a second reading on to-morrow.

Mr. Adams presented a message from the House of Representatives, informing the Senate that the following bills had been introduced into the House, to wit:

An act to establish a State university, and to sell the university lands; an act to regulate the practice in the Supreme Court, in appeals and writs of error in civil cases.

Mr. Tidwell presented a message from the House of Representatives, informing the Senate that the following bills had been introduced into the House, to wit:

An act to elect commissioners to locate the county seat of Johnson county; and an act for the relief of Stanislas Dardenne.

Mr. Whinnery presented a message from the House of Representatives, informing the Senate that the following resolution had passed the House, and was therewith transmitted for the concurrence of the Senate, to wit:

Resolved, by the General Assembly of the State of Arkansas, That it is inexpedient for either house to take under consideration any original bill offered from and after the 20th of October instant.

Whereupon, said resolution was read and ordered to lie on the table.

The bill from the House, entitled "An act to provide for the election of commissioners to locate the seat of justice of Crawford county," was read a first time.

On motion of Mr. *Brown*, the rules were dispensed with, the bill read a second time, and referred to a select committee, consisting of Messrs. McLain, McKean, and Martin.

The bill from the House, entitled "An act authorizing Joseph H. Egner, guardian of James De Witt Clinton Kelly, to sell certain property," was read a first time, and ordered to a second reading on to-morrow.

The bill from the House, entitled "An act authorizing David Lowe to erect a toll-bridge across Big Bayou, at or near where the road crosses the same, leading from Long Prairie, in Lafayette county, to Caddo Prairie, in Louisiana," was read a first time.

On motion of Mr. *Hill*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Hill*, the rules were again dispensed with, and said bill read a third time on its final passage, passed, and was returned to the House of Representatives.

The bill from the House, entitled "An act to authorize the admin-

istrator of the estate of John Frieks, deceased, to sell a tract of land belonging to the estate of said deceased," was read a first time, and rejected.

On motion of Mr. *Ferguson*, the orders of the day were now taken up.

The bill, entitled "A bill providing for the administering of oaths of office," was taken up, read a second time, and ordered to a third reading on to-morrow.

The bill, entitled "An act prescribing the manner of electing Senators from this State, to the Congress of the United States, and the form of their credentials," was taken up, read a second time, and ordered to a third reading on to-morrow.

The bill, entitled "An act providing for taking the census of the State of Arkansas," was taken up, read a second time, and ordered to a third reading on to-morrow.

The bill, entitled "An act to regulate clerks," was taken up, and, on motion of Mr. *Williamson*, referred to the committee of the whole, and made the order of the day for to-morrow.

The bill, entitled "An act to compensate the Auditor for extra labor," was taken up.

Mr. *Izard* moved to strike out of said bill "six hundred dollars," and insert, in lieu thereof, "four hundred dollars."

Mr. *McCamy* objected, that it was out of order to take any thing from a bill on its third reading.

The President decided that it was in order.

From this decision of the President, Mr. *McCamy* took an appeal to the Senate, and the decision was overruled.

Said bill was then read a third time, on its final passage.

On the question, "Shall this bill pass?" the ayes and nays were required, and were as follows:

Ayes—Ball, Brown, Clark, Ferguson, Hill, Martin, McCamy, McKean, McLain, Ringgold, Saunders, Thornton, and Mr. President.

Nays—Izard, Kuykendall, Smith, and Williamson.

A majority having voted in the affirmative, the bill passed, and was transmitted to the House of Representatives for their concurrence.

The bill, entitled "An act to regulate the office of Sheriff," was taken up, and, on motion of Mr. *Ferguson*, referred to the committee of the whole, and made the order of the day for to-morrow.

The bill, entitled "A bill providing the mode of establishing county lines," was taken up, read a second time, and, on motion of Mr. *Ferguson*, referred to the committee of the whole, and made the order of the day for to-morrow.

The bill, to be entitled "An act for the benefit of Samuel M. Hays, Sheriff elect for the county of Pope," was taken up, read a second time, and ordered to a third reading on to-morrow.

The bill, entitled "An act establishing the prices to be paid for printing to be executed by the public printer," was taken up, read a second time, and referred to a select committee, consisting of Messrs. Ferguson, McLain, Brown, Williamson, and Hill.

The bill, entitled "A bill concerning accessories, was taken up.

On motion of Mr. *Ferguson*, the Senate then resolved itself into a committee of the whole, Mr. *Smith* in the chair, on said bill; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Smith* reported, that the committee had, according to order, had said bill under consideration, had gone through the same, and begged leave to report the same, with an amendment; which amendment was concurred in by the Senate.

Mr. *McCamy* then moved to strike out the amendment, as adopted in the committee of the whole.

On this motion the ayes and nays were required, and were as follows:

Ayes—Messrs. Ball, Brown, Hill, Izard, Kuykendall, McCamy, and Williamson.

Nays—Messsrs. Clark, Ferguson, Martin, McKean, McLain, Ringgold, Saunders, Smith, Thornton, and Mr. President.

A majority having voted in the negative, the motion to strike out was rejected, and the bill ordered to a third reading on to-morrow.

The bill, entitled "An act to establish and regulate a county treasury in each county, was taken up, read a third time on its final passage, passed, and was returned to the House of Representatives.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

FRIDAY, *October 7th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit:

An act to authorize the Governor to order an election for a member to the House of Representatives from the county of Independence.

The select committee on that subject, to whom was referred so much of the Governor's message as related to the five sections of land granted for the completion of the public buildings, reported, through Mr. *Clark*, their chairman, a bill, to be entitled "An act authorizing the disposition of the five sections of land granted by the Congress of the United States, to the State of Arkansas, for the purpose of completing the public buildings commenced in said state;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *McCamy* introduced the following resolution, which was adopted:

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of revising, amending, and reporting to this house, such amendments as they may think proper to the statutes of this State.

Mr. *McCamy*, on leave granted, introduced a memorial to the Congress of the United States, asking the passage of a law for the benefit

of William Barnett, Allen McVey, and Hugh McCullough; which was read a first time.

On motion of Mr. *Ferguson* the rules were dispensed with, the memorial read a second time, and referred to the committee on memorials.

Mr. *Smith*, on leave granted, introduced a memorial asking of Congress an appropriation for the improvement of the navigation of White, Black, and Currant rivers; which was read a first time.

On motion of Mr. *Smith*, the rules were dispensed with, and the memorial read a second time.

On motion of Mr. *Smith*, the rules were again dispensed with, the memorial read a third time, on its final passage, passed, and was sent to the House for their concurrence.

Mr. Roberts presented a message from the House of Representatives, informing the Senate that a memorial, praying Congress for an appropriation to repair the road from Little Rock to Fort Gibson, and a bill appointing commissioners for the county of Scott, had been introduced into the House.

Also, that the following bills, memorial, and resolution, had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit:

A bill, entitled "An act concerning the former county seat of Izard county;" whereupon said bill was read a first time, and ordered to a to a second reading on to-morrow.

Also, a bill, entitled "An act more particularly defining the south-eastern boundary of Sevier county;" which said bill was read a first time.

On motion of Mr. *Hill*, the rules were dispensed with, said bill read a second time, and referred to a select committee, consisting of Messrs. Hill, McKean, and Clark.

Also, an act to elect commissioners to locate the county seat of Johnson county; which was read a first time.

On motion of Mr. *Williamson*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Williamson*, the rules were again dispensed with, the bill read a third time, on its final passage, passed, and was returned to the House of Representatives.

Also, a resolution, providing for the payment of the funeral expenses of the Hon. John C. Blair, out of the State treasury; which resolution was concurred in by the Senate.

Also, a memorial, praying Congress to cede to the State all the refuse lands in the limits of the same, returned unfit for cultivation in the surveys; which said memorial was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, the memorial read a second time, and referred to the committee on memorials.

On motion of Mr. *Hill*, the orders of the day were now taken up.

The bill, entitled "An act to regulate the office of Secretary of

State," was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled "An act to authorize the removal of the administration on the estate of William Wood, deceased, from the county of Marion, late the county of Searcy, to the county of Crawford," was read a second time, and ordered to a third reading on to-morrow.

The bill, entitled "An act to permanently locate the seat of justice of Monroe county, and for other purposes," was taken up, read a second time, amended, and ordered to a third reading on to-morrow.

On motion of Mr. *Brown*, the Senate now resolved itself into a committee of the whole, Mr. *Thornton* in the chair, on the bill, entitled "A bill concerning constables;" and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Thornton* reported, that the committee had, according to order, had the said bill under consideration, had gone through the same, and begged leave to report the same, with an amendment; which amendment was adopted, and the bill ordered to a third reading on to-morrow.

On motion of Mr. *Ball*, the Senate now resolved itself into a committee of the whole, Mr. *McKean* in the chair, on the bill, entitled "An act regulating the duties of Auditor and Treasurer;" and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *McKean* reported, that the committee had had said bill under consideration, had gone through the same, and asked leave to report the same, with an amendment; which amendment was adopted.

The bill was then referred to a select committee, consisting of Messrs. Ferguson, Ball, and McLain.

Mr. Teevault presented a message from the House of Representatives, informing the Senate that the House had concurred in the first amendment of the Senate to the bill to establish and regulate a county treasury in each county, and that they disagreed to the amendment to the 15th section of said bill.

Mr. Roberts presented a message from the House of Representatives, informing the Senate that the House concurred in the amendment of the Senate to the bill, entitled "An act to incorporate the town of Washington;" and, also, that the House had passed the following bill and resolutions from the Senate, to wit:

A bill, entitled "An act to compensate the Auditor for extra labor;" the resolution, relating to joint elections by both houses, and the certificates thereof; also, the resolution requesting our Senators and Representative in Congress to procure the passage of a law authorizing the State Legislature to sell the sixteenth sections of school lands, &c.; and, also, that the House agreed to the amendment of the Senate to the resolution concerning the person to be styled Chief Justice.

On motion of Mr. *Hill*, the Senate now resolved itself into a committee of the whole, Mr. *Ball* in the chair, on the bill, entitled "An act for the organization and government of the militia of this State;" and, after some time spent in the consideration thereof, the committee

rose, the President resumed the chair, and Mr. *Ball* reported, that the committee had, according to order, had said bill under consideration, had gone through the same, and begged leave to report the same, without amendment.

On motion of Mr. *Hill*, the rules were dispensed with, and the bill read a third time, on its final passage.

Mr. *Ferguson* moved to amend by striking out "one dollar," and inserting "two dollars" in lieu thereof, as the pay per day of the drum majors and fife majors.

The President decided that nothing could be taken from a bill on its third reading.

Mr. *Thornton* appealed from this decision, and the Senate overruled the decision.

The amendment proposed by Mr. *Ferguson*, was then negatived.

The bill was then otherwise amended, passed, and transmitted to the House of Representatives for their concurrence.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

SATURDAY, *October 8th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Clark*, from the committee on enrollments, reported, as correctly enrolled, the following bill, to-wit: An act to incorporate the town of Washington, in the county of Hempstead.

Mr. *Ferguson*, from the committee on memorials, to whom was referred the memorial to Congress asking for an appropriation to open a road from Helena, to Jackson, in Lawrence county, reported the same, with an amendment; which amendment was adopted.

Mr. *Thornton*, from the select committee to whom was referred the bill prohibiting certain persons from holding office, reported the same, with an amendment; which amendment was adopted.

Mr. *Izard*, from the select committee to whom was referred the bill, entitled "An act to prescribe the duties of the Governor of this State, in certain cases," reported that the committee were of opinion that it was inexpedient to pass said bill, and asked leave to be discharged from the farther consideration of the same.

Whereupon, leave was granted, and the bill laid on the table.

Mr. *Ferguson*, from the select committee to whom was referred the bill regulating the duties of Auditor and Treasurer, reported said bill, with amendments; which amendments were adopted, and the bill ordered to be engrossed for a third reading on Monday.

Mr. *Ringgold* asked and obtained leave to introduce a bill, entitled "An act authorizing the State Treasurer to receive the surplus revenue due and coming to the State, under an act of Congress, approved June

23d, 1836;" which was read a first time, and ordered to a second reading on Monday.

On motion of Mr. *Ferguson*, the orders of the day were now taken up.

The act to appoint commissioners permanently to locate the seat of justice of Saline county, was taken up, read a third time, on its final passage, passed, and returned to the House of Representatives.

The bill providing for the incorporation of churches, was taken up, and read a second time.

Mr. *Izard* moved to lay said bill on the table, until the 1st of January next; which motion was negatived.

The bill was then referred to a select committee, consisting of Messrs. Thornton, Izard, and Williamson.

The memorial asking of Congress an appropriation to open a road from the Mouths of Arkansas and White rivers, to the Post of Arkansas, thence to Pine Bluffs, in Jefferson county, was taken up, read a second time, and ordered to a third reading on Monday.

The bill, entitled "An act authorizing Joseph H. Egner, guardian of James De Witt Clinton Kelly, to sell certain property, was taken up, read a second time, and referred to a select committee, consisting of Messrs. Ringgold, McKean, and Martin.

The bill, entitled "A bill providing for administering oaths of office, was taken up, and amended, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, to be entitled "An act prescribing the manner of electing Senators from this State to the Congress of the United States, and the form of their credentials, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, to be entitled "An act prescribing the manner of electing Senators from this State, to the Congress of the United States, and the form of their credentials," was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled "An act for taking the census of the State of Arkansas, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled "A bill concerning accessories, was taken up, read a third time, on its final passage, and rejected.

On the question, "Shall the bill pass?" the ayes and nays were required, and were as follows:

Ayes—Messrs. Clark, Ferguson, McKean, McLain, Ringgold, Saunders, Smith, and Mr. President.

Nays—Messrs. Ball, Brown, Hill, Izard, Kuykendall, McCamy, Martin, Thornton, and Williamson.

The bill, to be entitled "An act for the benefit of Samuel M. Hays, Sheriff elect for the county of Pope, was taken up.

Mr. *Hill* moved to lay the bill on the table; which motion was negatived.

The bill was then read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, to be entitled "An act authorizing the disposition of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State, was taken up, read a second time, and referred to the committee of the whole, and made the order of the day for Monday.

The bill, to be entitled "An act concerning the former county seat of Izard county," was taken up, read a second time, and referred to a select committee, consisting of Messrs. Saunders, Ringgold, and Smith.

The bill, to be entitled "An act to authorize the removal of the administration of William Wood, deceased, from the county of Marion, late the county of Searcy, to the county of Crawford," was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled "An act permanently to locate the seat of justice of Monroe county, and for other purposes, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill entitled "A bill concerning constables, was taken up, read a third time, on its final passage, passed, and was transmitted to the House of Representatives for their concurrrence.

The House of Representatives were informed, by message, that the Senate insisted on their amendment to the bill, to establish and regulate a county treasury in each county.

Mr. Drennen presented a message from the House of Representatives, informing the Senate that the following bills had been introduced into the House, to wit: A bill, to be entitled "An act concerning jails and jailors," and an act defining the boundaries of Union county; also, that the following memorial from the Senate had passed the House, and was therewith returned to the Senate, to wit: A memorial asking of Congress an appropriation to open a road from Columbia, in Chicot county, to Little Rock; also, that the following bills and memorial had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit: An act appointing commissioners for the county of Scott; an act for the relief of Stanislas Dardenne; an act to authorize a change of venue in criminal cases; and a memorial to Congress, praying an appropriation to repair the road leading from Little Rock to Cantonment Gibson.

Whereupon, said bills and memorial were severally read a first time, and ordered to a second reading on Monday.

Mr. Teevault presented a message from the House of Representatives, informing the Senate that the bill, to be entitled "An act for the benefit of Samuel M. Hays, sheriff elect for the county of Pope," had passed the House, and was returned to the Senate.

On motion of Mr. *Brown*, the Senate resolved itself into a committee of the whole, Mr. *Ferguson* in the chair, on the ordinance accept-

ing, ratifying, and irrevocably confirming the propositions set forth in an act of Congress, entitled "An act supplementary to the act entitled an act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes;" and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr *Ferguson* reported, that the committee had, according to order, had said ordinance under consideration, had gone through the same, and beg leave to report the same, with amendments; which amendments were adopted.

On motion of Mr. *Ferguson*, said ordinance was now read a third time, on its final passage, passed, and was returned to the House of Representatives for their concurrence.

On motion of Mr. *Smith*, the Senate now resolved itself a committee of the whole, Mr. *Williamson* in the chair, on the bill, entitled, "An act to divide the State into judicial circuits;" and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Williamson* reported, that the committee had had said bill under consideration, had gone through the same, and begged leave to report the same, without amendment.—Said bill was then referred to a select committee, consisting of Messrs. Ferguson, Clark, Smith, Ball, McLain, and Hill.

On motion of Mr. Hill, the bill, entitled "An act to erect and build a court-house in the town of Washington, and for other purposes," was taken up, and referred to a select committee, consisting of Messrs. Hill, McKean, and Thornton.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

MONDAY, *October* 10, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson*, from the committee on enrollments, reported, as correctly enrolled, the following bills and memorial, to wit: An act for the benefit of Samuel M. Hays, sheriff elect for the county of Pope; an act to compensate the Auditor for extra labor; and a memorial to Congress, asking an appropriation to complete the road from Columbia to Little Rock.

Mr. *Ball*, from the committee on the judiciary, reported the following bills, to wit: A bill to exclude certain persons from office, and a bill providing for holding a special term of the Supreme Court; both of which bills were severally read a first time, and ordered to a second reading on to-morrow.

Mr. *Ferguson*, from the committee on memorials, to whom was referred the memorial, praying of Congress the passage of a law for the benefit of William Barnett, Allen McVey, and Hugh McCullough, reported the same, with an amendment; which amendment was adopted.

Mr. *Ringgold*, from the select committee to whom was referred the bill, entitled "An act authorizing Joseph H. Egner, guardian of James De Witt Clinton Kelly, to sell certain property," reported the same, with an amendment; which amendment was adopted.

On motion of Mr. *Smith*, the orders of the day were now taken up.

The memorial, praying of Congress, an appropriation for opening a road from Helena, to Jackson, in Lawrence county, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, to be entitled "An act regulating the duties of Auditor and Treasurer," was taken up, and amended, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, to be entitled "An act prohibiting certain persons from holding office, was taken up, and amended, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The memorial, praying Congress for an appropriation to open a road from the mouths of Arkansas and White rivers, to the Post of Arkansas, from thence to the Pine Bluffs, in Jefferson county, was taken up, and referred to the committee on memorials.

The bill, entitled "An act authorizing the State Treasurer, to receive the surplus revenue due and coming to the State, under an act of Congress, approved June 23d, 1836, was taken up, read a second time, and, on motion of Mr. *Ringgold*, laid on the table.

The bill, entitled "An act appointing commissioners for the county of Scott, was taken up, and read a second time.

On motion of Mr. *Ball*, the rules were dispensed with, and the bill read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled "An act for the relief of Stanislas Dardenne, was taken up, and read a second time, and referred to a select committee, consisting of Messrs. Thornton, Clark, and McLain.

The bill, entitled "An act to authorize a change of venue in criminal cases," was taken up, read a second time, and referred to the committee on the judiciary.

The memorial, asking of Congress an appropriation to repair the road from Little Rock to Cantonment Gibson, was taken up, read a second time, and referred to the committee on memorials.

Mr. Roysdon presented a message from the House of Representatives, informing the Senate that the House adhered to their disagreement to the amendment of the Senate to the 15th section of the bill to establish and regulate a county treasury in each county, and that Messrs. Roysdon, Littell, and Franks, were appointed a committee, on the part of the House, to confer with any committee the Senate may think proper to appoint on that subject.

Mr. Roberts presented a message from the House of Representa-

tives, informing the Senate that the following bills had been introduced into the House, to wit: An act to abolish imprisonment for debt; an act amendatory of the law concerning forgery; an act in aid of legal titles; an act to regulate the damages on bills of exchange; and an act to regulate proceedings by attachments, in the State of Arkansas; also, that the following memorial had passed the House, and was therewith transmitted for the concurrence of the Senate, to wit: A memorial praying Congress for an appropriation to open a road from Van Buren, on the Arkansas river, to Fulton, on Red river.

Whereupon, said memorial was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, the memorial read a second time, and referred to the committee on memorials.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

TUESDAY, *October* 11, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson*, from the select committee to whom was referred the bill, entitled "An act to divide the State into judicial circuits, submitted the following report:

There have been two objections urged against the provisions of the bill, as it came from the House of Representatives: 1st. That it requires an undue proportion of labor to be performed by the Judge of the fourth circuit. 2d. That the circuits, as they are formed, are too large. As to the first objection, it is known to the committee, that, under the Territorial government, the same circuit was as large again as it now is, and that one Judge held the courts through the circuit, and attended to the Superior Court duties also, which the Circuit Judge, under the State government, will not have to do. To support this objection, it has been urged to the committee, that the court cannot get through the business in Washington county in one week. To remedy that, the court can have a longer time to hold the courts in that county, or arrange the terms so that the courts will be held in Washington at the end of the term, with the privilege of continuing until the business is finished. Therefore, the committee does not consider this objection sufficient to cause any change in the bill. The second objection, the committee considers does not apply; and if it did, the remedy would be to increase the number of circuits, which the committee does not deem expedient at this time, nor does the good of the State require it.

The committee find, from the provisions of the bill, that there are two circuits of five counties, two circuits of six counties, and two circuits of seven counties each; and from a geographical view of the State of Arkansas, the committee are of the opinion that the bill, as it came

from the House of Representatives, has wisely, judiciously, and equitably arranged the circuits, by placing the two circuits of five counties on the east, or Mississippi, which, from the difficulty and expense of traveling, is fully equal to seven counties in the north and north-east; and placing the two circuits of six counties in the south, which is also fully equal to seven counties in the north and the north-west, where the two circuits of seven counties are situated—in a high, dry, healthy, and cheap country, to travel or reside in. And from this view of the subject, the majority of the committee, being satisfied that no alteration that they could make, would render any more satisfaction to the State, or benefit to individuals, have instructed me to report the bill without amendment.

On motion of Mr. *McCamy*, the Senate disagreed to the foregoing report of the committee.

On the motion to disagree, the ayes and nays were required, and were as follows:

Ayes—Messrs. Ball, Brown, Kuykendall, McCamy, Martin, McLain, Saunders, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, Hill, Izard, McKean, Ringgold, Smith, and Thornton.

Mr. *McCamy* now offered an amendment, in lieu of the second section of the bill.

Mr. *Ferguson*, moved to amend the amendment, by striking off the county of Monroe, from the first judicial circuit; which was negatived.

On this motion the ayes and nays were required, and were as follows:

Ayes—Messrs. Clark, Ferguson, Hill, McKean, Ringgold, and Smith.

Nays—Messrs. Ball, Brown, Izard, Kuykendall, Martin, McCamy, McLain, Saunders, Thornton, Williamson, and Mr. President.

Mr. *Ferguson* now moved to lay the bill on the table; which was negatived.

Mr. *Ferguson* then moved that said bill be referred to a select committee; which was negatived.

Several other amendments to the amendment were proposed, and rejected.

The question now recurred on the original amendment, as offered by Mr. *McCamy;* which was adopted.

On this question, the ayes and nays were required, and were as follows:

Ayes—Messrs. Ball, Brown, Izard, Kuykendall, Martin, McCamy, McLain, Saunders, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, Hill, McKean, Ringgold, Smith, and Thornton.

Mr. *Thornton* now moved to refer the bill, as amended, to the committee of the whole; which motion was rejected.

On motion of Mr. *McKean*, the bill was then laid on the table, until Thursday.

On motion of Mr. *Ringgold*, a committee was appointed to confer with the committee appointed on the part of the House of Representatives, on the subject of the disagreement of the House to the amendment of the Senate to the 15th section of the bill to establish and regulate a county treasury in each county.

Messrs. Ringgold, Izard, and Thornton, were appointed said committee, and the House informed thereof.

On motion of Mr. *Ferguson*, the bill entitled an act to incorporate the Bank of the State of Arkansas, was taken up, read a second time, and referred back to the committee on banking.

On motion of Mr. *Smith*, the orders of the day were now taken up.

The bill to exclude certain persons from office, was taken up, read a second time, and, on motion of Mr. *Thornton*, laid on the table.

The bill, providing for holding a special term of the Supreme Court, was taken up, read a second time, and referred to a select committee, consisting of Messrs. Ferguson, Ball, and Hill.

The memorial to Congress, asking the passage of a law for the benefit of certain soldiers of the last war, who have drawn bounty lands unfit for cultivation, was taken up, and ordered to be engrossed for a third reading on to-morrow.

The bill, entitled "An act authorizing Joseph H. Egner, guardian of James De Witt Clinton Kelly, to sell certain property," was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

On motion of Mr. *Izard*, the Senate now resolved itself into a committee of the whole, Mr. *McLain* in the chair, on the bill to regulate the duty of clerks; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *McLain* reported, that the committee had had said bill under consideration, had gone through the same, and instructed him to report the same, without amendment. The bill was then ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. *Ferguson*, the Senate now resolved itself into a committee of the whole, Mr. *Williamson* in the chair, on the bill providing the mode of establishing county lines; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair and Mr. *Williamson* reported, that the committee had, according to order, had said bill under consideration, had gone through the same, and begged leave to report the same, without amendment. Said bill was then referred to a select committee, consisting of Messrs. Ferguson, Clark, and Ball.

Mr. *Tully* presented a message from the House of Representatives, informing the Senate that a resolution had passed the House, and was therewith transmitted for the concurrence of the Senate, instructing our Senators in Congress to use their best efforts to procure the expurgation from the journals of the Senate, of the resolution of condemnation passed upon President Jackson, by the Senate of the United States, at the session of Congress of 1834.

Whereupon, said resolution from the House, was read and adopted.

Upon the adoption of said resolution, the ayes and nays were required, and were as follows:

Ayes—Messrs. Ball, Brown, Ferguson, Hill, Izard, Kuykendall, Martin, McCamy, McKean, Smith, Saunders, Thornton, Williamson, and Mr. President.

Nays—Messrs. Clark, McLain, and Ringgold.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

WEDNESDAY, *October 12th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Brown* presented a petition from sundry citizens of Crawford county, praying for a removal of the seat of justice of said county; which was referred to the select committee to whom was referred the bill, entitled "An act to provide for the election of commissioners to locate the seat of justice of Crawford county," together with a petition for, and remonstrance against, the same.

Mr. *Ferguson*, from the committee on memorials, to whom was referred that part of the Governor's message relating to the defence of our western and south-western frontier, reported a memorial asking of Congress an appropriation of two hundred thousand dollars, for the erection of the necessary works of defence on said frontier; which was read a first time, and ordered to a second reading on to-morrow.

Mr. *McLain* from the select committee to whom was referred the bill, entitled an act to provide for the election of commissioners to locate the seat of justice of Crawford county, together with a petition and remonstrance, reported the same; with an amendment, which amendment was adopted.

On motion of Mr. *Brown*, the bill was then read a third time, on its final passage, passed, and was returned to the House of Representatives for their concurrence.

Mr. *Saunders*, from the select committee to whom was referred the bill, entitled an act concerning the former county seat of Izard county, reported the same, without amendment.

Mr. *Ferguson*, from the select committee to whom was referred the bill, entitled a bill providing for holding a special term of the Supreme Court, reported the same, with an amendment; which amendment was adopted.

On motion of Mr. *Ferguson*, said bill was then ordered to be engrossed for a third reading on to-morrow.

Mr. *Thornton*, from the select committee to whom was referred the bill, entitled an act for the relief of Stanislas Dardenne, and for other purposes, reported the same with an amendment; which amendment was adopted.

On motion of Mr. *Clark*, said bill was then read a third time, on its final passage, passed, and returned to the House of Representatives for their concurrence.

Mr. *Hill*, from the select committee to whom was referred the bill, entitled "An act supplementary to an act entitled an act to erect and build a court-house in the town of Washington, and for other purposes," reported the same, with amendments; which amendments were adopted.

Mr. *Ball*, from the committee on the judiciary, reported a bill, entitled "A bill concerning fugitives from justice;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Brown*, from the committee on the judiciary, reported a bill, entitled "An act to repeal an act passed and approved the 26th day of October, 1831, entitled an act giving to jurors that discretionary power in criminal cases, heretofore given to the judges of the circuit court;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Ringgold*, from the select committee appointed to confer with the committee appointed by the House, on the subject of the disagreement of the House, to the amendment of the Senate to the 15th section of the bill, to establish and regulate a county treasury in each county, reported an amendment, in lieu of the original amendment of the Senate; which was adopted, and sent to the House of Representatives for their concurrence.

Mr. *McCamy* introduced the following resolution, which lies on the table for one day, to wit:

Resolved by the Senate, That all amendments offered by any member, except in committee of the whole, shall be placed on the journals in the language of the amendments.

A message from the Governor, was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed the following bills and memorial, to wit: An act to compensate the Auditor for extra labor; an act for the benefit of Samuel M. Hays, sheriff elect for the county of Pope; and a memorial to the Congress of the United States, praying for the completion of the road from Columbia to Little Rock.

Mr. *Tolleson* presented a message from the House of Representatives, informing the Senate that the House concurred in the Senate's amendment to the bill, regulating the office of Secretary of State.—Also, that the following bills, had passed the House, and were therewith returned to the Senate, to wit: An act prescribing the manner of electing Senators from this State, to the Congress of the United States, and the form of their credentials; an act providing for the administering of oaths of office; and, also, that the House had passed the bill, providing for taking the census of the State of Arkansas, with an amendment, to which they asked the concurrence of the Senate.

Whereupon, said amendment was concurred in.

Mr. Hoge presented a message from the House of Representatives, informing the Senate, that the House concurred in the amendments of the Senate, to the bills, entitled "An act permanently to locate the seat of justice of Monroe county, and for other purposes," and the act to appoint commissioners permanently to locate the seat of justice of Saline

county; also, that the bill, entitled an act for the organization and government of the militia of this State, had passed the House, with amendments, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said amendments were read and concurred in.

Mr. Whinnery presented a message from the House of Representatives, informing the Senate that the memorial to Congress, asking an appropriation for the improvement of the navigation of White, Black, and Currant rivers, had passed the House, with amendments, and was therewith transmitted for the concurrence of the Senate,

Whereupon, said amendments were read and concurred in.

Also, that the following bills had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit:

An act to regulate the practice in the Supreme Court, in appeals and writs of error in civil cases.

Whereupon, said bill was read a first time.

On motion of Mr. *Clark*, the rules were dispensed with, the bill read a second time, and referred to the committee on the judiciary.

Also, an act to regulate damages on bills of exchange, drafts, &c.

Whereupon, said bill was read a first time, and ordered to a second reading on to-morrow.

Also, an act to authorize certain suits to be tried in the Randolph circuit court.

Whereupon, said bill was read a first time, and, on motion of Mr. *Smith*, rejected.

Also, a memorial to Congress, asking an appropriation to open a road from Batesville, by the way of Pine Bayou, to Liberty.

Whereupon, said memorial was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, the memorial read a second time, and referred to the committee on memorials.

On motion of Mr. *Clark*, the orders of the day were now taken up.

The bill, to be entitled "An act to regulate the duties of clerks," was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The memorial to Congress, asking the passage of a law, for the benefit of certain soldiers of the late war, who had drawn bounty lands unfit for cultivation, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

On motion of Mr. *Ferguson*, the Senate now resolved itself into a committee of the whole, Mr. *Ball* in the chair, on the bill, entitled "An act to regulate the office of sheriff;" and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Ball* reported, that the committee had had said bill under consideration, had gone through the same, and begged leave to report the same, without amendments.

On motion of Mr. *Ferguson*, said bill was then referred to the committee on the judiciary.

On motion of Mr. *McKean*, the Senate now resolved itself into a committee of the whole, Mr. *Thornton* in the chair, on the bill, entitled "An act authorizing the disposition of the five sections of land granted by the Congress of the United States, to the State of Arkansas, for the purpose of completing the public buildings commenced in said State;" and, after some time spent in the consideration thereof, the committee rose, and asked leave to sit again.

On motion of Mr. *Hill*, the resolution providing for revising, digesting, and arranging the laws of Arkansas, was taken up.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

THURSDAY, *October* 13, 1836.

The Senate convened pursuant to adjournment.

Mr. *Clark*, from the committee on enrollments, reported, as correctly enrolled, the following bill, to wit: An act providing for the administering of oaths of office.

Mr. *Ball*, from the committee on the judiciary, to whom was referred the bill, entitled, "An act to authorize a change of venue in criminal cases," reported the same, with an amendment.

On motion of Mr. *Ball*, said bill and amendment were then referred to the committee of the whole, and made the order of the day for Monday next.

Mr. *Ferguson*, from the committee on memorials, to whom was referred the memorial to Congress, asking an appropriation for opening a road from Batesville, by the way of Pine Bayou, to Liberty, reported the same, with an amendment; which amendment was adopted.

Mr. *Brown*, from the committee on the judiciary, to whom was referred the bill, entitled "An act to regulate the office of sheriff," reported the same, with amendments; which amendments were adopted.

On motion of Mr. *Brown*, said bill was then ordered to be engrossed, for a third reading, on to-morrow.

Mr. *Izard*, from the select committee to whom was referred the bill, entitled "An act to provide for the incorporation of churches," reported the same, with an amendment.

Mr. *Thornton*, from the same committee, submitted a minority report, with an amendment.

On motion of Mr. *Ferguson*, said bill, with the proposed amendments, was then laid on the table till Monday next.

Mr. *Ringgold*, from the committee on banking, to whom was referred the bill to incorporate the Bank of the State of Arkansas, reported the same, with amendments.

On motion of Mr. *Ringgold*, said bill and amendments were then referred to the committee of the whole, and made the order of the day for to-morrow.

Mr. *Hill* asked and obtained leave to introduce a bill, entitled "An act for the relief of John R. Dooley;" which was read a first time, and ordered to a second reading on to-morrow.

On motion of Mr. *Ringgold*, the bill, entitled an "An act authorizing the State Treasurer to receive the surplus revenue due and coming to the State, under an act of Congress, approved June 23d, 1836," was taken up.

Mr. *Ringgold* moved to amend said bill, by striking out the second section; which amendment was adopted.

On motion of Mr. *Ringgold*, said bill was then referred to the committee on the judiciary.

On motion of Mr. *Williamson*, the orders of the day were now taken up.

The bill, entitled "An act to divide the State into judicial circuits," was now taken up, and read a third time.

Mr. *Ferguson* moved to refer the bill to a select committee; which was negatived.

Mr. *Thornton* moved that the Senate resolve itself into a committee of the whole on said bill; which motion was rejected.

Mr. *Clark* moved the following, as an amendment; which was rejected, to wit: The counties of Chicot, Union, Arkansas, Jefferson, and Pulaski, shall compose the fifth judicial circuit.

On the question of the adoption of said amendment, the ayes and nays were required, and were as follows:

Ayes—Messrs. Clark, Ferguson, Hill, McKean, McLain, Ringgold, Thornton, and Mr. President.

Nays—Messrs. Ball, Brown, Izard, Kuykendall, Martin, McCamy, Saunders, Smith, and Williamson.

Mr. *Thornton* offered the following amendment; which was rejected, to wit: Strike out the second section, and insert the following, in lieu thereof: That the counties of Mississippi, Crittenden, Phillips, Monroe, St. Francis, and Greene, shall compose the first judicial circuit; the counties of Izard, Independence, Lawrence, Randolph, Jackson, and White, shall compose the second judicial circuit; the counties of Marion, Carroll, Madison, Benton, Washington, and Van Buren, shall compose the third judicial circuit; the counties of Crawford, Scott, Johnson, Pope, Conway, and Pulaski, shall compose the fourth judicial circuit; the counties of Hot Spring, Saline, Jefferson, Union, Arkansas, and Chicot, shall compose the fifth judicial circuit; and the counties of Lafayette, Miller, Sevier, Pike, Clark, and Hempstead, shall compose the sixth judicial circuit.

Mr. *Smith* moved to refer said bill to a select committee of five, to be elected by ballot; which motion was rejected.

The question then recurred on the passage of the bill; on the question, "Shall the bill pass?" the ayes and nays were called for, and were as follows:

Ayes—Messrs. Ball, Brown, Izard, Kuykendall, Martin, McCamy, McLain, Saunders, and Williamson.

Nays—Messrs. Clark, Ferguson, Hill, McKean, Ringgold, Thornton, and Mr. President.

A majority of the members having voted in the affirmative, said bill was passed, and returned to the House of Representatives for their concurrence.

The bill, entitled "A bill providing for holding a special term of the Supreme Court," was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The memorial to Congress, praying an appropriation for the construction of works of defence on our western and south-western frontier, was taken up, and read a second time.

On motion of Mr. *Ferguson*, the rules were dispensed with, the memorial read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled "An act concerning the former county seat of Izard county," was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled "An act supplementary to an act entitled an act to erect and build a court-house in the town of Washington, and for other purposes," was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled "An act to regulate damages on bills of exchange, drafts," &c., was taken up, and read a second time.

On motion of Mr. *Ferguson*, said bill was then referred to the committee of the whole, and made the order of the day for to-morrow.

The bill, entitled "A bill concerning fugitives from justice," was taken up, and read a second time.

On motion of Mr. *Clark*, said bill was then referred to the committee of the whole, and made the order of the day for to-morrow.

A bill, entitled "An act to repeal an act passed and approved the 26th day of October, 1831, entitled "An act giving to jurors that discretionary power in criminal cases, heretofore given to the Judges of the Circuit Court," was taken up, read a second time, and ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. *Ferguson*, the Senate now resolved itself into a committee of the whole, Mr. *Izard*, in the chair, on the bill, entitled "An act to authorize the disposition of the five sections of land granted by the Congress of the United States, to the State of Arkansas, for the purpose of completing the public buildings commenced in said State;" and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Izard* reported, that the committee had, according to order, had the said bill under consideration, had gone through with the same, and begged leave to report the same, with amendments; which amendments were adopted.

On motion of Mr. *Clark*, said bill was then ordered to be engrossed for a third reading on to-morrow.

The resolution submitted by Mr. *McCamy*, on yesterday, providing

that all amendments offered by a member should be inserted on the Journals in the words of the amendment, was taken up, and adopted.

The resolution providing for revising, digesting, and arranging the laws of Arkansas, was taken up, and, on motion of Mr. *Hill*, was referred to a select committee, consisting of Messrs. Hill, Izard, and Ball.

Mr. Royston presented a message from the House of Representatives, informing the Senate that the House had disagreed to the amendment of the Senate to the bill, entitled "An act to divide the State into Judicial Circuits."

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

FRIDAY, *October* 14, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson*, from the committee on enrollments, reported, as correctly enrolled, the following bills and memorial, to wit: An act providing for taking the census of the State of Arkansas; an act prescribing the manner of electing Senators from this State, to the Congress of the United States, and the form of their credentials; also, a memorial to Congress, asking an appropriation for the improvement of the navigation of White, Black, and Currant rivers.

Mr. *Ferguson*, from the select committee to whom was referred the bill providing the mode of establishing county lines, reported the same, with an amendment; which amendment was adopted.

Mr. *Hill*, from the select committee to whom was referred the resolution providing for a revision, digest, and arrangement, of the laws of Arkansas, reported a bill, entitled "A bill providing for the revision of the laws of the State of Arkansas;" which was read a first time, and ordered to a second reading on to morrow.

Mr. *Ball* asked and obtained leave to introduce a bill, entitled "A bill regulating the duties of the Clerk of the Supreme Court;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *McCamy* now moved that the Senate insist on their amendment to the bill, entitled "An act to divide the State into judicial circuits.

On this motion the ayes and nays were required, and were as follows:

Ayes—Messrs. Ball, Brown, Izard, Kuykendall, McCamy, Martin, McLain, Saunders, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, Hill, McKean, Ringgold, Smith, and Thornton.

A majority having voted in the affirmative, the motion was agreed to.

On motion of Mr. *Thornton*, a committee, consisting of Messrs. McCamy, McLain, Clark, Hill, Ringgold, and Martin, was appointed to confer with any committee that might be appointed on the part of the

House of Representatives, on the subject of the amendment of the Senate to the bill to divide the State into judicial circuits; and the House were informed by message of the appointment of said committee, of the adherence of the Senate to their amendment, and requested to appoint a committee on their part.

On motion of Mr. *McKean*, the orders of the day were now taken up.

The memorial to Congress, asking an appropriation for opening a road from Batesville, by way of Pine Bayou, to Liberty, and for completing the road from Jackson to Fort Smith, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled "An act to regulate the office of sheriff," was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled "An act to repeal an act passed and approved the 26th day of October, 1831, entitled an act giving to jurors that discretionary power in criminal cases, heretofore given to the Judges of of the Circuit Court," was taken up, and, on motion of Mr. *Brown*, laid on the table.

The bill, entitled "An act for the benefit of John R. Dooley," was taken up, read a second time, and ordered to be engrossed, for a third reading on to-morrow.

The act to authorize the disposition of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State, was taken up, and, on motion of Mr. *Clark*, referred to a select committee, consisting of Messrs. Clark, Williamson, and Thornton.

On motion of Mr. *McKean*, the Senate now resolved itself into a committee of the whole, Mr. *Hill* in the chair, on the bill concerning fugitives from justice; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Hill* reported, that the committee had, according to order, had said bill under consideration, had gone through the same, and begged leave to report the same, without amendment.

Whereupon, on motion of Mr. *Ball*, said bill was ordered to be engrossed for a third reading on to-morrow.

A message from the Governor was presented by J. J. Clendenin, his private Secretary, informing the Senate, that he had approved and signed a bill, entitled "An act to provide for the administering of oaths of office."

A message from the House of Representatives, was presented by Mr. Davies, informing the Senate that the House had passed a bill, which was therewith transmitted for the concurrence of the Senate, entitled "An act to establish the Real Estate Bank of the State of Arkansas."

Mr. Roysdon presented a message from the House of Representatives, informing the Senate that the House had disagreed to the amend-

ment of the Senate to the bill, entitled "An act to divide the State into judicial circuits, and appointed Messrs. Roysdon, Tully, Royston, Logan, Philips, and Hoge, a committee to confer with the committee appointed by the Senate, on the subject of the amendment of the Senate to the bill, entitled "An act to divide the State into judicial circuits."

Mr. Logan presented a message from the House of Representatives, informing the Senate that the following bills had been introduced into the House, to wit: An act regulating the proceedings of the General Assembly in certain cases; an act concerning the removal, by address, of judicial officers of the State; an act defining the boundaries of Union county. Also, that the House had agreeed to the amendments of the Senate to the ordinance consequent upon the admission of this State into the Union; and, also, to the report of the committee of conference, relating to the disagreement of the House to the Senate's amendment to the 15th section of the bill to establish and regulate a county treasury in each county. Also, that they have agreed to the amendments of the Senate to the following bills, to wit: An act to appoint commissioners to locate the county seat of Crawford county; an act for the relief of Stanislas Dardenne; an act to erect a court-house in the town of Washington. Also, that the bill from the Senate, entitled "A bill providing for holding a special term of the Supreme Court," had passed the House, with amendments, and was therewith returned for the concurrence of the Senate.

Whereupon, upon motion of Mr. *Ball*, said bill, as amended, was referred to the committee on the judiciary.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

SATURDAY, *October 15th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Clark*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act to elect commissioners to locate the county seat of Johnson county; an act to authorize David Lowe to erect a toll-bridge across Big Bayou, at or near where the road crosses the same, leading from Long Prairie, in Lafayette county, to Caddo Prairie, in Louisiana; an act appointing commissioners for the county of Scott; an act to authorize the removal of the administration on the estate of William Wood, deceased, from the county of Marion, late the county of Searcy, to the county of Crawford; an act permanently to locate the seat of justice of Monroe county, and for other purposes;" an act regulating the office of Secretary of State; and an act to appoint commissioners permanently to locate the seat of justice of Saline county. Also, the ordinance accepting the propositions set forth in an act of Congress, supplementary to the act, entitled "An act for the admission of the State of Arkansas into the Union," &c.; also, the resolution instructing our Senators in Congress to use

their efforts to have expunged from the journals of the Senate the resolution of condemnation passed on President Jackson at the session of Congress of 1834.

Mr. *McCamy*, from the committee of conference appointed to confer with a committee of the House of Representatives, on the subject of the adherence of the Senate to their amendment to the bill, entitled "An act to divide the State into judicial circuits," reported, that the committee recommend that the Senate recede from their amendment, and pass the original bill as it came from the House of Representatives, with this exception—that the counties of Scott and Hot Spring be added to the fifth circuit.

Whereupon, said report was concurred in.

Upon this question, the ayes and nays were required, and were as follows:

Ayes—Messrs. Clark, Ferguson, Hill, Izard, Martin, McKean, Ringgold, Smith, Thornton.

Nays—Messrs. Ball, Brown, Kuykendall, McCamy, McLain, Saunders, Williamson, and Mr. President.

And the House of Representatives informed thereof by message.

Mr. *Clark*, from the select committee to whom was referred the bill, entitled "An act to authorize the disposition of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State, reported the same with amendments.

Mr. *Izard* moved to amend the amendment, by striking out that part which requires the oath of the person making the entry, to be corroborated by the oaths of two credible disinterested witnesses, residents of the county where the lands are situated; which was rejected.

On this motion, the ayes and nays were called for, and were as follows:

Ayes—Messrs. Ball, Izard, Kuykendall, McKean, and Mr. President.

Nays—Messrs. Clark, Ferguson, Hill, McCamy, Martin, McLain, Ringgold, Saunders, Smith, Thornton, and Williamson.

Mr. *Thornton* moved to amend the amendment, by striking out the words "two credible disinterested witnesses," and inserting in lieu thereof, "one credible disinterested witness;" which was agreed to.

The amendments reported by the committee, as amended by the Senate, were now adopted.

Mr. *Ferguson* introduced the following resolution, which was adopted, to wit:

Resolved, That the committee on the judiciary be requested to examine the Constitution of the State of Arkansas, and report to the Senate such bills as they may deem expedient to carry all the provisions of the same into effect.

Mr. *Roysdon* presented a message from the House of Representatives, informing the Senate that the House had adopted the report made by the committee of conference on the subject of the Senate's

adherence to their amendment to the second section of the bill to divide the State into judicial circuits.

Mr. *Logan* presented a message from the House of Representatives, informing the Senate that the House had passed a resolution appointing a committee, consisting of Tully, Reagan, and Vaughan, to invite the Rev. Andrew Buchanan to preach in the Hall of the House of Representatives, on to-morrow, at 11 o'clock A. M., and requesting the concurrence of the Senate, and the appointment of a committee on their part.

Whereupon, said resolution was concurred in, and Messrs. Ferguson, McKean, and Ringgold, appointed said committee.

Mr. Royston presented a message from the House of Representatives, informing the Senate that the bill, entitled, "An act prohibiting certain persons from holding office," had passed the House, with an amendment, and was therewith returned to the Senate for their concurrence.

Whereupon, on motion of Mr. *Clark*, said bill, as amended, was referred to a select committee, consisting of Messrs. Clark, McLain, and Ball.

A message from the Governor was presented by his private Secretary, J. J. Clendenin, informing the Senate, that he had approved and signed the following bills, to wit:

An act prescribing the manner of electing Senators from this State to the Congress of the United States, and the form of their credentials.

An act providing for taking the census of the State of Arkansas; and

A memorial to Congress, asking an appropriation to clear out White, Black, and Currant rivers.

On motion of Mr. *Ringgold*, the act to establish the Real Estate Bank of the State of Arkansas, was taken up, and read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Ringgold*, said bill was then referred to the committee on banking.

On motion of Mr. *Smith*, the orders of the day were now taken up.

The bill providing the mode of establishing county lines, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled "A bill providing for the revision of the laws of the State of Arkansas," was taken up.

Mr. *McCamy* moved to lay said bill on the table till the 1st of March; which was negatived.

The bill was read a second time, and ordered to be engrossed for a third reading on Monday.

The bill, entitled "An act for the benefit of John R. Dooley," was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill regulating the duties of the Clerk of the Supreme Court, was taken up, read a second time, and ordered to be engrossed, for a third reading on Monday.

The bill, entitled "A bill concerning fugitives from justice," was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

On motion of Mr. *Clark*, the bill, entitled "An act to authorize the disposition of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State," was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

Mr. Tidwell presented a message from the House of Representatives, informing the Senate that the bill, to be entitled "An act regulating the duties of Auditor and Treasurer," and the memorial to Congress, praying the passage of a law for the benefit of certain soldiers of the late war, which had originated in the Senate, had passed the House, and were therewith returned to the Senate; also, that the House concurred in the amendment of the Senate to the memorial asking an appropriation to open a road from Batesville to Liberty; also, that the following bills had been introduced into the House, to wit: An act providing for the erection of public buildings; and an act to provide for a permanent system of revenue for the State of Arkansas; also, that the following bills had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit: An act supplementary to an act entitled "An act permanently to fix the seat of justice in the county of Sevier, and appointing trustees for the same."

Whereupon, said bill was read a first time, and ordered to a second reading on Monday.

Also, a bill, entitled "An act regulating proceedings of the General Assembly in certain cases."

Which was read a first time.

On motion of Mr. *Smith*, the rules were dispensed with, the bill read a second time, and referred to the committee on the judiciary.

Mr. Teevault presented a message from the House of Representatives, informing the Senate that the memorial to Congress, asking an appropriation for the construction of works of defence on our western frontier, had passed the House, and was therewith returned to the Senate; also, that the following bills had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit: An act to incorporate the town of Arkansas; an act for the relief of Isaac Bower and others; an act providing for the erection of public buildings; an act defining the boundaries of Union county; an act to fill vacancies in the General Assembly; and an act concerning accessories; also, that the bill from the Senate, entitled "An act to regulate the office of Sheriff," had passed the House, with an amendment, and was therewith returned for the concurrence of the Senate.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

MONDAY, *October 17th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Izard* presented petitions from sundry citizens of St. Francis county, praying for the removal of the seat of justice of said county; which were referred to a select committee, consisting of Messrs. Izard, Ball, and Brown.

Mr. *Ferguson*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act supplementary to an act entitled an act to erect and build a court-house in the town of Washington, and for other purposes; an act to provide for the election of commissioners to locate the seat of justice of Crawford county; an act for the relief of Stanislas Dardenne, and for other purposes; and an act concerning the former county seat of Izard county.

Mr. *Ball*, from the committee on the judiciary, to whom was referred the bill, entitled an "An act authorizing the State Treasurer to receive the surplus revenue due and coming to the State, under an act of Congress, approved June 23d, 1836," reported the same, with amendments.

On motion of Mr. *Ringgold*, said bill and amendments were referred to the committee of the whole, and made the order of the day for to-morrow.

Mr. *Izard*, from the committee on the judiciary, to whom was referred the bill providing for holding a special term of the Supreme Court, as amended by the House of Representatives, reported the same, with an amendment; which was adopted.

Mr. *Thornton*, from the committee on the judiciary, to whom was referred the bill, entitled "An act to regulate proceedings of the General Assembly in certain cases," reported the same, with amendments; which were adopted.

Mr. *Clark*, from the select committee to whom had been referred the bill, prohibiting certain persons from holding office, as amended by the House of Representatives, reported the same with an amendment; which amendment was rejected.

Mr. *Ringgold*, from the committee on banking, to whom had been referred the bill, entitled "An act to incorporate the Real Estate Bank of Arkansas," reported the same, with an amendment.

Mr. *Izard* moved to lay the bill and amendment on the table till Monday next; which motion was negatived.

The amendment, as reported from the committee, was then adopted.

Mr. *McCamy* then moved to commit the bill to a committee of the whole, and make it the order of the day for to-morrow; which motion was negatived.

Mr. *Smith* moved to lay the bill on the table till to-morrow; which motion was lost.

Mr. *Izard* then moved the following amendment, which was rejected, to wit: Strike out the word "five," in the third line of the thirty-seventh section, and insert "ten."

On this question, the ayes and nays were called for, and were as follows:

Ayes—Messrs. Brown, Izard, Kuykendall, McCamy, McLain, Saunders, and Williamson.

Nays—Messrs. Ball, Clark, Ferguson, Hill, McKean, Ringgold, Smith, Thornton, and Mr. President.

Mr. *Williamson* submitted the following amendment, which was adopted: Strike out the word "three," in the 11th line of the first section, and insert, in lieu thereof, the word "four."

Mr. *Williamson* then offered the following, in lieu of the second section:

SEC. 2. *Be it further enacted*, That the principal office of said bank shall be and remain at the city of Little Rock; and the said branches shall be located and established, one at Washington, in Hempstead county; one at Columbia, in Chicot county; one at Helena, in Phillips county; and one at Spadre Bluff, in Johnson county; and the capital stock authorized to be raised by this act, shall be divided as follows, to wit: Two hundred and fifty thousand dollars shall be the permanent capital of the branch at Spadre Bluff, in Johnson county; and the balance of said capital stock to be equally divided between said principal bank and three first named branches specified, as the permanent capital of each, unless otherwise directed in the manner hereinafter mentioned.

This amendment was rejected, by a vote of 8 to 8, as follows:

Ayes—Messrs. Ball, Brown, Izard, Kuykendall, McCamy, McLain, Saunders, and Williamson.

Nays—Messrs. Clark, Ferguson, Hill, McKean, Ringgold, Smith, Thornton, and Mr. President.

On motion of Mr. *Ferguson*, said bill was now taken up, and read a third time, on its final passage.

Mr. *Ferguson* moved to amend the first section, by striking out the word "four," and inserting, in lieu thereof, the word "three;" which was agreed to by a vote of 10 to 7, as follows, to wit:

Ayes—Messrs. Brown, Clark, Ferguson, Hill, Martin, McKean, Ringgold, Smith, Thornton, and Mr. President.

Nays—Messrs. Ball, Izard, Kuykendall, McCamy, McLain, Saunders, and Williamson.

Mr. *Izard* then offered the following, as an amendment, to wit: Strike out all after the word "to," in the 6th line of the twentieth section, and insert "citizens of this State."

This amendment was rejected, by a vote of 11 to 6, as follows:

Ayes—Messrs. Izard, Kuykendall, McCamy, McLain, Saunders, and Williamson.

Nays—Messrs. Ball, Brown, Clark, Ferguson, Hill, Martin, McKean, Ringgold, Smith, Thornton, and Mr. President.

Mr. *Izard* then moved the following, as an additional section to the bill, to wit:

Be it further enacted, That whenever the institution established by this act, or any of its branches, shall refuse or fail to pay in specie any of the notes emitted from the said institution, when the same may be demanded, all and every of the privileges granted to the said institution, by the provisions of this act, shall be, and the same are hereby,

revoked, and of non-effect, unless the legislature may deem it expedient to authorize the suspension of specie payment, for a time, to guard the interest of the State."

This amendment was also rejected, by a vote of 11 to 6, as follows:

Ayes—Messrs. Izard, Kuykendall, McCamy, McLain, Saunders, and Williamson.

Nays—Messrs. Ball, Brown, Clark, Ferguson, Hill, Martin, McKean, Ringgold, Smith, Thornton, and Mr. President.

Mr. *Izard* then offered the following, as an additional section to the bill, to wit:

Be it further enacted, That the General Assembly shall have power, at all times, to enact such laws as they may deem expedient to regulate the operations of the said institution, according to the full intent and meaning of this act.

This amendment was also rejected, by a vote of 10 to 7, as follows:

Ayes—Messrs. Ball, Izard, Kuykendall, McCamy, McLain, Saunders, and Williamson.

Nays—Messrs. Brown, Clark, Ferguson, Hill, Martin, McKean, Ringgold, Smith, Thornton, and Mr. President.

Mr. *McCamy* then moved to strike out the sixteenth section of the bill; which motion was rejected by a vote of 13 to 4, as follows:

Ayes—Messrs. Izard, Kuykendall, McCamy, and Williamson.

Nays—Messrs. Ball, Brown, Clark, Ferguson, Hill, Martin, McKean, McLain, Ringgold, Smith, Saunders, Thornton, and Mr. President.

The question was then put, "Shall the bill pass?" and carried by a vote of 10 to 7, as follows:

Ayes—Messrs. Ball, Brown, Clark, Ferguson, Hill, Martin, McKean, Ringgold, Smith, and Thornton.

Nays—Messrs. Izard, Kuykendall, McCamy, McLain, Saunders, Williamson, and Mr. President.

The bill, as amended, was then sent to the House of Representatives for their concurrence.

Mr. *Reagan* presented a message from the House of Representatives, informing the Senate that the following resolution had passed the House, and was therewith transmitted for the concurrence of the Senate, to wit:

Resolved, That the Senate be invited to attend in the House of Representatives, on Wednesday next, at eleven o'clock, for the purpose of electing Judges and Prosecuting Attorneys for the several judicial circuits of the State of Arkansas.

Mr. Alston presented a message from the House of Representatives, informing the Senate that the following bills and memorial had been introduced into the House, to wit: An act to authorize the Governor of this State to borrow from the Real Estate Bank certain sums of money, and to appropriate the same; an act to authorize John B. Hammond, executor of the estate of Henderson White, deceased, to sell real estate; an act more specifically defining the interest on mo-

ney, and regulating the recovery thereof; an act to regulate and fix the fees of justices of the peace, and for other purposes; and a memorial praying the passage of a pre-emption law in favor of actual settlers.

Mr. Hardin presented a message from the House of Representatives, informing the Senate that the following bill had passed the House, and was therewith transmitted for the concurrence of the Senate, to wit: An act to appoint commissioners to lay off lots in the town of Murfreesborough, and for other purposes; also that the following bills had been introduced into the House, to wit: An act regulating the terms and prescribing the powers of the Circuit Courts of the State of Arkansas; an act to establish and regulate County Courts in the State; and an act for the relief of David G. Eller, for work and labor done in preparing the state-house for the reception of the present General Assembly.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

TUESDAY, *October* 18, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ferguson*, from the committee on enrollments, reported, as correctly enrolled, the following memorials and resolution, to wit: A memorial to Congress, asking an appropriation for the construction of works of defence on our western frontier; a memorial asking an appropriation to open a road from Helena to Jackson; a memorial praying the opening of a road from Batesville to Liberty, and from Jackson to Fort Smith; and a resolution prescribing the duties of the President of the Senate and Speaker of the House of Representatives, in certain cases.

Mr. *Hill*, from the committee on the judiciary, to whom had been referred the following resolution, to wit:

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of revising, amending, and reporting to this House, such amendments as they may think proper to the statutes of this State,—

Reported, that it was inexpedient, at this time, for said committee to attempt to revise and report amendments to the numerous statutes of this State that require amendment; and that they were of opinion, that the only proper mode of revising the statutes is that provided for by the provisions of the bill now before the Senate, providing for a revision of the laws of the State of Arkansas; and they ask to be discharged from the farther consideration of the subject.

On motion of Mr. *Clark*, the present committee on enrollments were discharged from farther duty on said committee.

On motion of Mr. *Smith*, the Senate then proceeded to the election of a new committee, by ballot;

Whereupon, Messrs. Smith and Brown were duly elected said committee.

Mr. *Ferguson* asked and obtained leave to introduce a bill, entitled "An act establishing the office of Attorney General;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Clark* asked and obtained leave to introduce a bill, entitled "An act to authorize William D. Ferguson to build a toll-bridge across Black Fish Lake;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Smith*, on leave granted, introduced a bill, entitled "An act for the introduction of slaves in this State, and police regulations concerning them;" which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Smith* gave notice, that, on to-morrow, he should ask leave to introduce a bill, concerning public roads and highways.

On motion of Mr. *Ferguson*, the orders of the day were now taken up.

On motion of Mr. *Ferguson*, the Senate now resolved itself into a committee of the whole, Mr. *McCamy* in the chair, on the bill, entitled "An act to incorporate the Bank of the State of Arkansas;" and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *McCamy* reported, that the committee had, according to order, had said bill under consideration, had gone through the same, and begged leave to report the same, with amendments; which amendments were adopted.

Mr. *McCamy* moved to strike out the words "fifteen hundred," in the second line of the 18th section of said bill; which motion was negatived.

On motion of Mr. *Izard*, the bill was then amended, by inserting between the words "bank" and "subject," in the 6th line of the 13th section, the following, to wit: "And all the dividends on the capital stock of said bank, shall, in like manner, belong to the State."

On motion of Mr. *Ferguson*, said bill was now taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

On the question, "Shall the bill pass?" the ayes and nays were called for, and were as follows:

Ayes—Messrs. Ball, Clark, Ferguson, Hill, Izard, McCamy, McKean, McLain, Ringgold, Smith, Saunders, Thornton, and Williamson.

Nays—Messrs. Brown, Kuykendall, and Mr. President.

Mr. Davis presented a message from the House of Representatives, informing the Senate that the House had agreed to the amendment of the Senate to the 37th section of the bill, entitled "An act to establish the Real Estate Bank of the State of Arkansas."

Mr. Roberts presented a message from the House of Representatives, informing the Senate that the following resolution had passed the House, and was therewith transmitted for the concurrence of the Senate, to wit:

Resolved, That the thanks of the Senate and House of Representa-

tives of this General Assembly, are due to Messrs. De Baun & Thorn, for the very neat flag of the Union presented by them to the State of Arkansas, and that a salute of twenty-six guns be fired in commemoration of the event, at 3 o'clock P. M. this day.

Mr. *Ferguson*, moved to amend, by striking out all after the word "Arkansas," and inserting the following: "And that a joint committee be appointed to receive said flag;" which amendment was adopted.

Whereupon, Messrs. Ferguson, Hill, and Ringgold, were appointed said committee.

Mr. *McLain* then, at half past 2 o'clock P. M., moved that the Senate adjourn.

Upon this the ayes and nays were called for, and were as follows:

Ayes—Messrs. Ferguson, Kuykendall, McKean, McLain, and Williamson.

Nays—Messrs. Ball, Brown, Clark, Hill, Izard, McCamy, Ringgold, Smith, Saunders, Thornton, and Mr. President.

Mr. *Kuykendall* then moved that the Senate adjourn. Which motion was rejected, by a vote of 10 to 5, as follows:

Ayes—Messrs. Ferguson, Kuykendall, McCamy, McLain, and Williamson.

Nays—Messrs. Ball, Brown, Clark, Hill, Izard, McKean, Smith, Saunders, Thornton, and Mr. President.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

WEDNESDAY, *October 19th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Saunders* presented a petition from sundry citizens of Carroll county, praying to be stricken off from said county, and attached to War Eagle; which was referred to a select committee, consisting of Messrs. Saunders, Ball, and McCamy.

Mr. *Smith*, on leave granted, introduced a bill, entitled "A bill concerning public roads and highways;" which was read a first time.

On motion of Mr. *Smith*, the rules were dispensed with, the bill read a second time, referred to the committee of the whole, and made the order of the day for to-morrow.

Mr. *McKean* moved to take up the resolution from the House of Representatives fixing upon 11 o'clock A. M. of this day as the hour of going into the election of Judges and Prosecuting Attorneys.

On this motion the ayes and nays were called for, and were as follows.

Ayes—Messrs. Brown, Hill, Izard, Kuykendall, McCamy, McKean, McLain, Saunders, Thornton, and Williamson.

Nays—Messrs. Ball, Clark, Ferguson, Ringgold, Smith, and Mr. President.

A majority of the members having voted in the affirmative, the resolution was taken up, and read.

Mr. *McCamy* moved to amend the resolution, by striking out the words "Wednesday" and "11 o'clock A. M.," and inserting, in lieu thereof, "Saturday at 3 o'clock P. M.;" which motion was negatived.

Mr. *Ringgold* then moved to amend, by fixing upon three o'clock P. M., of Friday, as the hour for electing said officers; which motion was negatived.

On motion of Mr. *Smith*, the resolution was then amended, by fixing upon 3 o'clock P. M. of to-morrow, as the hour for going into said election.

The bill from the House, entitled An act for the relief of Isaac Bower and others, was read a first time, and ordered to a second reading on to-morrow.

The bill from the House, entitled An act providing for the erection of public buildings, was read a first time, and ordered to a second reading on to-morrow.

The bill from the House, entitled An act defining the boundaries of Union county, was read a first time.

On motion of Mr. *Clark*, the rules were dispensed with, the bill read a second time, and referred to a select committee, consisting of Messrs. Clark, Hill, and Thornton.

The bill from the House, entitled An act to incorporate the town of Arkansas, was read a first time.

On motion of Mr. *McKean*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *McKean*, the rules were again dispensed with, the bill read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill from the House, entitled An act concerning accessories, was read a first time, and ordered to a second reading on to-morrow.

The bill from the House, entitled An act to fill vacancies in the General Assembly, was read a first time, and ordered to a second reading on to-morrow.

The bill from the House, entitled An act to appoint commissioners to lay off lots in the town of Murfreesborough, and for other purposes, was read a first time.

On motion of Mr. *Thornton*, the rules were dispensed with, the bill read a second time, and referred to a select committee, consisting of Messrs. Thornton, Hill, and McLain.

Mr. Teevault presented a message from the House of Representatives, informing the Senate that the House concurred in the amendment of the Senate to the resolution concerning the flag presented by Messrs. De Baun & Thorn, and that Messrs. Calvert, Byrd, and Adams, are the committee appointed on the part of the House; also, that the following bill had passed the House, and was therewith transmitted for the concurrence of the Senate, to wit: An act to compen-

sate David G. Eller, for work and labor done in preparing the State-house for the reception of the present General Assembly.

Whereupon, said bill was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Clark*, said bill was then referred to the committee on ways and means.

Mr. Anthony presented a message from the House of Representatives, informing the Senate that the following bills from the Senate had passed the House, and were therewith returned to the Senate, to wit: An act for the relief of John R. Dooley; and an act to regulate the duty of clerks. Also, that the following bills had been introduced into the House, to wit: An act to locate the county seat of Randolph county; an act to authorize the administrator and administratrix of Bernard Smith, deceased, to sell the negroes and lands belonging to said estate; an act to locate the county seat of Van Buren. Also, that the following memorial had passed the House, and was therewith transmitted for the concurrence of the Senate, to wit: A memorial to Congress, praying the passage of a pre-emption law in favor of actual settlers.

Whereupon, said memorial was read a first time.

On motion of Mr. *Smith*, the rules were dispensed with, the memorial read a second time, and referred to the committee on memorials.

On motion of Mr. *Smith*, the orders of the day were now taken up.

The bill, entitled "A bill providing for the revision of the laws of the State of Arkansas," was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled An act regulating the duties of the Clerk of the Supreme Court, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The act supplementary to an act entitled An act permanently to fix the seat of justice in Sevier county, and appointing trustees for the same, was taken up, and read a second time.

On motion of Mr. *McKean*, the rules were dispensed with, the bill read a third time, on its final passage, passed, and was returned to the House of Representatives.

The act regulating proceedings of the General Assembly in certain cases, was taken up, and referred to a select committee, consisting of Messrs. Ringgold, Clark, and Williamson.

The bill, entitled An act establishing the office of Attorney General, was taken up, read a second time, and referred to the committee on the judiciary.

The act to authorize William D. Ferguson to build a toll-bridge across Black Fish Lake, was taken up, read a second time, and re-

ferred to a select committee, consisting of Messrs. Izard, McLain, and Ball.

The bill, to be entitled An act for the introduction of slaves in this State, and police regulations concerning them, was taken up, read a second time, and, on motion of Mr. *Ferguson*, referred to the committee of the whole, and made the order of the day for to-morrow.

On motion of Mr. *Ferguson*, the Senate now resolved itself into a committee of the whole, Mr. *Smith* in the chair, on the bill, entitled An act to regulate damages on bills of exchange, drafts, &c.; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Smith* reported, that the committee had had said bill under consideration, had gone through the same, and asked leave to report the same, without amendment.

Whereupon, on motion of Mr. *Ringgold*, said bill was referred to the committee on the judiciary.

On motion of Mr. *Kuykendall*, the Senate now resolved itself into a committee of the whole, Mr. *Izard* in the chair, on the bill, entitled An act to authorize a change of venue in criminal cases; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Izard* reported, that the committee had, according to order, had said bill under consideration, had gone through the same, and asked leave to report the same, with amendments; which amendments were adopted.

On motion of Mr. *Ball*, the bill was then read a third time, on its final passage, passed, and was returned to the House of Representatives for their concurrence.

On motion of Mr. *Izard*, the Senate now resolved itself into a committee of the whole, Mr. *Thornton* in the chair, on the bill, entitled An act authorizing the State Treasurer to receive the surplus revenue due and coming to the State, under an act of Congress, approved June 23d, 1836; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Thornton* reported, that the committee had, according to order, had said bill under consideration, had gone through the same, and asked leave to report the same, with amendments; which amendments were adopted. Said bill was then ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. *Ball*, the bill providing for holding a special term of the Supreme Court, was taken up, and read, as amended by the House of Representatives, and the third additional section proposed by the House, as an amendment, was adopted by the Senate.

Mr. *Thornton* now moved to take up the resolution from the House of Representatives declaring it inexpedient for an original bill to be introduced in either house after the 20th inst.

Which motion was negatived, by a vote of 11 to 4, as follows:

Ayes—Messrs. Hill, Smith, Thornton, and Williamson.

Nays—Messrs. Ball, Brown, Clark, Ferguson, Izard, McCamy, McKean, McLain, Ringgold, Saunders, and Mr. President.

On motion of Mr. *Thornton*, the bill, entitled An act prohibiting

certain persons from holding office, as amended by the House, was now taken up.

Mr. *Clark* moved to amend the amendment, by inserting between the words "Court" and "Sheriff," the following, to wit: "The judge of the circuit court shall fill such vacancy, by appointment; and in all cases of vacancy in the office of;" which amendment was adopted.

Mr. *Ferguson* moved to strike out all after the word "shall," in the fifth line of the amendment, and insert the following, to wit: "Issue his proclamation to the sheriff or coroner, as the case may be, for an election to fill such vacancy or vacancies; and the person so elected shall be commissioned by the Governor, and hold his office until the next general election;" which amendment was rejected.

Mr. *Ringgold* moved to re-consider his vote on Mr. Ferguson's amendment; which was agreed to, and the amendment was then adopted.

Mr. *Izard* moved the following, in addition to the amendment as amended; which was adopted, to wit: "*Provided*, That all vacancies that shall occur, except in the office of clerk of the circuit court, within the last six months before the general election, shall be filled by appointment of the Governor.

The Senate then adjourned.

SAM C. ROANE.

ANDW J. GREER, *Secretary*.

THURSDAY, *October 20th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Saunders*, from the select committee, to whom had been referred the petition of sundry citizens of Carroll county, praying to be detached from said county, reported a bill, entitled An act attaching part of Carroll county to the county of Madison; which was read a first time.

On motion of Mr. *Ball*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *McCamy*, the rules were again dispensed with, the bill read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

Mr. *Hill*, from the select committee to whom had been referred the bill, entitled An act more particularly defining the South-eastern boundary of Sevier county, reported the same, with an amendment.

On motion of Mr. *McKean*, both the bill and amendment were laid on the table.

Mr. *Izard*, from the select committee to whom had been referred the petition of sundry citizens of St. Francis county, praying a removal of the seat of justice of said county, reported a bill, entitled An act to re-locate the seat of justice of St. Francis county; which was read a first time.

On motion of Mr. *Izard*, the rules were dispensed with, the bill read a second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. *Thornton*, from the select committee to whom had been referred the bill, entitled An act to appoint commissioners to lay off lots in the town of Murfreesborough, and for other purposes, reported the same with an amendment; which amendment was adopted.

Mr. *Brown*, from the committee on the judiciary, reported a bill, to be entitled An act concerning poor persons, and a bill, to be entitled An act directing in what courts and manner suits may be commenced by and against the State;" both of which bills were severally read a first time, and ordered to a second reading on to-morrow.

Mr. *Ball* asked and obtained leave to introduce a bill, to be entitled An act providing for the election of a member of Congress from this State, and a bill, to be entitled An act respecting notice of petitions to the General Assembly; both of which bills were severally read a first time, and ordered to a second reading on to-morrow.

Mr. *Ferguson* moved for leave to reconsider his vote on the adoption of the amendment of the House of Representatives to the bill prohibiting certain persons from holding office; which motion was agreed to.

Mr. *Ferguson* then moved to amend, by striking out the words "justices of the peace," in the — line, and adding the following, as an amendment to the amendment; which was adopted, to wit: "That in all cases of vacancy in the office of justice of the peace, it shall be the duty of the presiding judge of the county court of the respective counties, to order an election to fill such vacancy; and it shall be the duty of the Governor to commission the person so elected."

Mr. *McLain* now moved to reject all the amendments of the Senate to the amendment.

On this question the ayes and nays were called for, and were as follows, to wit:

Ayes—Messrs. Hill, McLain, Thornton, and Mr. President.

Nays—Messrs. Ball, Brown, Clark, Ferguson, Izard, McCamy, McKean, Ringgold, Smith, Saunders, and Williamson.

A majority of the members having voted in the negative, the motion was rejected.

The amendment, as amended, was then adopted, and sent to the House of Representatives for their concurrence.

On motion of Mr. *McKean*, the orders of the day were now taken up.

The bill, entitled An act for the relief of Isaac Bower and others, was taken up, read a second time, and referred to the committee on ways and means.

The bill, entitled An act providing for the erection of public buildings, was taken up, read a second time, and referred to the committee on counties and county lines.

The bill, entitled An act concerning accessories, was taken up, read a second time, and referred to the committee on the judiciary.

The bill, entitled An act to fill vacancies in the General Assembly, was taken up, read a second time, and ordered to a third reading on to-morrow.

The bill, entitled An act authorizing the State Treasurer to receive the surplus revenue due and coming to the State under an act of Congress, approved June 23d, 1836, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

On motion of Mr. *Smith*, the bill, entitled An act providing for the incorporation of churches, with the proposed amendments, was now taken up.

Mr. *Thornton* moved that the amendment reported by the minority of the committee, to whom the bill had been referred, be adopted; which motion was rejected by a vote of 8 to 6, as follows:

Ayes—Messrs. Clark, Ferguson, McLain, Ringgold, Smith, and Thornton.

Nays—Messrs. Ball, Brown, Hill, Izard, McCamy, Saunders, Williamson, and Mr. President.

On motion of Mr. *Smith*, said bill, with the amendment recommended by the majority of the committee, was laid upon the table.

Mr. Caldwell presented a message from the House of Representatives, informing the Senate that the House concurred in the amendment of the Senate to the resolution fixing the time for the election of circuit judges and prosecuting attorneys.

Mr. Royston presented a message from the House of Representatives, informing the Senate that the House had passed the bill, entitled An act providing for a revision of the laws of Arkansas, which was thereby returned to the Senate.

Mr. *Logan* presented a message from the House of Representatives, informing the Senate that the House had passed the bill, entitled An act to incorporate the Bank of the State of Arkansas, with amendments, and was therewith returned for the concurrence of the Senate.

On motion of Mr. *Ball*, said bill was laid on the table till to-morrow.

The hour previously fixed upon by both Houses of the General Assembly, for the election of judges of the circuit court, and prosecuting attorneys, having now arrived, the Senate repaired to the hall of the House of Representatives, for the purpose of going into said elections.

Mr. *Calvert* nominated J. C. P. Tolleson, as a candidate for the judgeship of the first judicial circuit.

The result of the joint vote of both houses was, for Tolleson, sixty-six votes.

Whereupon, J. C. P. Tolleson, having received a majority of all the votes given, was declared duly elected judge, for the time prescribed by the constitution.

The Senators who voted for Mr. Tolleson, were—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, Kuykendall, McCamy, Martin, McKean, McLain, Ringgold, Saunders, Smith, Thornton, Williamson, and Mr. President.

Mr. *Smith* nominated De la Fletcher Roysdon, as a candidate for the judgeship of the second judicial circuit.

The result of the joint vote of both houses was, for Roysdon, sixty-four votes.

Whereupon, DE LA FLETCHER ROYSDON, having received a majority of all the votes given, was declared duly elected judge of the sesecond judicial circuit, for the term prescribed by the constitution.

The Senators who voted for Mr. Roysdon, were—Messrs. Brown, Clark, Ferguson, Hill, Izard, Kuykendall, McCamy, McKean, McLain, Ringgold, Saunders, Smith, Thornton, Williamson, and Mr. President.

For the judgeship of the third judicial circuit, Mr. *Tidwell* nominated Lewis B. Tully, and Mr. *Pelham* nominated James Pope.

The result of the joint vote of both Houses, was, for Tully, forty-five votes; for Pope, twenty votes.

LEWIS B. TULLY, having received a majority of all the votes given, was declared duly elected judge of the third judicial circuit, for the time prescribed by the constitution.

The Senators who voted for Mr. Tully, were—Messrs. Ball, Hill, Izard, Kuykendall, McCamy, Martin, Saunders, Thornton, Williamson, and Mr. President.

Those who voted for Mr. Pope, were—Messrs. Brown, Clark, Ferguson, McKean, McLain, Ringgold, and Smith.

For the judgeship of the fourth judicial circuit Mr. *Morton*, nominated Richard C. S. Brown, and Mr. *Vaughan* nominated Joseph M. Hoge.

The result of the joint vote of both houses was, for Hoge, thirty-four votes; for Brown, thirty-three votes.

Whereupon, JOSEPH M. HOGE, having received a majority of all the votes given, was declared duly elected judge of the fourth judicial circuit, for the time prescribed by the constitution.

The Senators who voted for Mr. Hoge, were—Messrs. Ball, Brown, Hill, Kuykendall, McCamy, McLain, and Saunders.

Those who voted for Mr. Brown, were—Messrs. Clark, Ferguson, Izard, Martin, McKean, Ringgold, Smith, Thornton, Williamson, and Mr. President.

For the judgeship of the fifth judicial circuit, Mr. *Morse* nominated Andrew Scott; Mr. *Culp* nominated Charles Caldwell; and Mr. *Lasater* nominated Isaac Darneille.

The result of the joint vote of both houses, was, for Caldwell, thirty-nine votes; for Scott, twenty-four votes; and for Darneille, one vote.

Whereupon, CHARLES CALDWELL, having received a majority of all the votes given, was declared duly elected judge of the fifth judicial circuit, for the time prescribed by the constitution.

The Senators who voted for Caldwell, were—Messrs. Ball, Hill, Izard, Kuykendall, Martin, McCamy, McLain, Thornton, Williamson, and Mr. President.

Those who voted for Mr. Scott, were—Messrs. Clark, Ferguson, McKean, Ringgold, Smith, and Saunders.

Mr. Brown voted for Mr. Darneille.

For the judgeship of the sixth judicial circuit, there were no nominations.

Mr. *Teevault* nominated William K. Sebastian, as a candidate for the office of prosecuting attorney in the first judicial circuit.

The result of the joint vote of both houses, was, for Sebastian, sixty-four votes.

Whereupon, WILLIAM K. SEBASTIAN, having received a majority of all the votes given, was declared duly elected prosecuting attorney for the first judicial circuit, for the time prescribed by the constitution.

The Senators who voted for Sebastian, were—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, Kuykendall, McCamy, Martin, McKean, McLain, Ringgold, Saunders, Smith, Thornton, Williamson, and Mr. President.

Mr. *Davies* nominated Philander Littell, as a candidate for the office of prosecuting attorney for the second judicial circuit.

The result of the joint vote of both houses was, for Littell forty-nine votes.

Whereupon, PHILANDER LITTELL, having received a majority of all the votes given, was declared duly elected prosecuting attorney for the second judicial circuit, for the term prescribed by the constitution.

The Senators who voted for Mr. Littell, were—Messrs. Clark, Ferguson, Izard, Kuykendall, McCamy, Martin, McKean, McLain, Ringgold, Smith, Saunders, Thornton, and Williamson.

Mr. *Royston* nominated Thomas Johnson as a candidate for the office of prosecuting attorney in the third judicial circuit.

The result of the joint vote of both houses was, for Johnson, sixty-five votes.

Whereupon, THOMAS JOHNSON, having received a majority of all the votes given, was declared duly elected prosecuting attorney for the third judicial circuit, for the time prescribed by the constitution.

The Senators who voted for Mr. Johnson, were—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, Kuykendall, McCamy, McKean, McLain, Ringgold, Smith, Saunders, Thornton, Williamson, and Mr. President.

For the office of prosecuting attorney for the fourth judicial circuit, Mr. *Hoge* nominated Lemuel D. Evans, and Mr. *Tully* nominated John M. Wilson.

The result of the joint vote of both houses was, for Evans, forty-one votes; for Wilson, twenty-three votes.

Whereupon, LEMUEL D. EVANS, having received a majority of all the votes given, was declared duly elected prosecuting attorney, for the time prescribed by the constitution.

The Senators who voted for Mr. Evans, were—Messrs. Ball, Hill, Izard, Kuykendall, McCamy, McLain, Ringgold, Smith, Saunders, Thornton, Williamson, and Mr. President.

Those who voted for Mr. Wilson, were—Messrs. Brown, Clark, Ferguson, Martin, and McKean.

For the office of prosecuting attorney for the fifth judicial circuit, Mr. *Kuykendall* nominated William G. H. Teevault, and Mr. *Williamson*, of the House of Representatives, nominated John Linton.

The result of the joint vote of both houses was, for Teevault, thirty-five votes, and for Linton, twenty-three votes.

Whereupon, W. G. H. TEEVAULT, having received a majority of all the votes given, was declared duly elected prosecuting attorney, for the fifth judicial circuit, for the time prescribed by the constitution.

The Senators who voted for Mr. Teevault, were—Messrs. Ball, Brown, Hill, Izard, Kuykendall, Martin, McCamy, Thornton, Williamson, and Mr. President.

Those who voted for Mr. Linton, were—Messrs. Clark, Ferguson, McKean, McLain, Ringgold, Smith, and Saunders.

Mr. *Thompson* nominated Albert G. Stevenson, as a candidate for the office of prosecuting attorney in the sixth judicial circuit.

The result of the joint vote of both houses was, for Stevenson, fifty votes.

Whereupon, ALBERT G. STEVENSON, having received a majority of all the votes given, was declared duly elected prosecuting attorney for the term prescribed by the constitution.

The Senators who voted for Mr. Stevenson, were—Messrs. Brown, Clark, Ferguson, Hill, Izard, Kuykendall, Martin, McKean, McLain, Saunders, and Mr. President.

The Senate then returned to their chamber, when, on motion, they adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

FRIDAY, *October* 21, 1836.

The Senate convened pursuant to adjournment.

Mr. *Clark* presented a petition from sundry citizens of Chicot county, asking for the incorporation of a rail-road company, with banking privileges; which was referred to the committee on banking.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill, entitled An act concerning accessories, reported the same, without amendment.

Mr. *Ringgold*, from the select committee to whom had been referred the bill entitled An act regulating proceedings of the General Assembly in certain cases, reported the same, without amendment.

Mr. *Izard*, from the select committee to whom had been referred the bill, entitled An act to authorize William D. Ferguson to build a toll-bridge across Black Fish Lake, reported unfavorably to the passage of said bill.

On motion of Mr. *Clark*, the report of the committee was then non-concurred in.

Mr. *Ball* submitted the following resolution, which was adopted, to wit:

Resolved, That the committee on ways and means be instructed to inquire into the expediency of authorizing the Governor to borrow a sum of money sufficient to defray the expenses of the present General Assembly.

Mr. *Clark* introduced the following resolution, which was adopted, to wit:

Resolved, That there shall be printed, in pamphlet form, seven hundred copies of the act passed by this General Assembly for the organization and government of the militia of this State; and that the Secretary of State transmit to each Colonel Commandant, or Major of each separate battalion, a sufficient number of said copies to furnish each commissioned officer of his regiment or separate battalion with one copy.

On motion of Mr. *Ferguson*, the act to incorporate the Bank of the State of Arkansas, as amended by the House of Representatives, was now taken up, read, and referred to the committee on banking.

On motion of Mr. *Ferguson*, the orders of the day were now taken up.

The bill, entitled An act to re-locate the seat of justice of St. Francis county, was taken up, read a third time, on its final passage; amended, on motion of Mr. *Izard*, by striking out the word "January," in the 5th line of the 1st section, and inserting "December;" passed, and was sent to the House of Representatives for their concurrence.

The bill, to be entitled An act directing in what courts and manner suits may be commenced by and against the State, was taken up, read a second time, and, on motion of Mr. *Ferguson*, referred to the committee of the whole, and made the order of the day for to-morrow.

The bill, entitled An act concerning poor persons, was taken up, read a second time, and ordered to be engrossed for a third reading on to-morrow.

The act to appoint commissioners to lay off lots in the town of Murfreesborough, and for other purposes, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled An act to fill vacancies in the General Assembly, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled An act providing for the election of a member of Congress from this State, was taken up, read a second time, and, on motion of Mr. *Ferguson*, referred to the committee of the whole, and made the order of the day for to-morrow.

The bill, to be entitled An act respecting notice of petitions to the General Assembly, was taken up, read a second time, and ordered to a third reading on to-morrow.

On motion of Mr. *Smith*, the Senate now resolved itself into a committee of the whole, Mr. *Clark* in the chair, on the bill, entitled

An act concerning public roads and highways; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Clark* reported, that the committee had, according to order, had said bill under consideration, had gone through the same, and asked leave to report the same, with amendments.

On motion of Mr. *Smith*, said bill and amendments were then referred to a select committee, consisting of Messrs. Smith, Hill, and Ferguson.

A message from the Governor, was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed the following bill and memorials, to wit:

An act for the relief of Stanislas Dardenne, and for other purposes.

A memorial to Congress asking an appropriation to open a road from Helena to Jackson, in Lawrence county.

A memorial asking an appropriation to open a road from the St. Francis river to Batesville, and from Jackson to Fort Smith.

A memorial on the subject of the defence of our western frontier.

And a resolution instructing the President of the Senate and Speaker of the House of Representatives to certify to the Governor the election of officers by the General Assembly.

Mr. Royston presented a message from the House of Representatives, informing the Senate that the following bills had been introduced into the House, to wit: A bill for the relief of William Crawford; an act making appropriations for the contingent expenses of the State; an act to define the boundaries of Arkansas county; and an act supplementary to an act concerning elections. Also, that the act to authorize the removal of the administration of the estate of Austin Kendrick, deceased, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *Izard*, the rules were dispensed with, the bill read a second time, and amended, by striking out the third section.

On motion of Mr. *Izard*, the rules were again dispensed with, the bill read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. Philips presented a message from the House of Representatives, informing the Senate that the bill from the Senate, entitled An act regulating the duties of the Clerk of the Supreme Court, had passed the House, with amendments, and was therewith returned for the concurrence of the Senate.

Whereupon, said amendments were concurred in.

Mr. Whinnery presented a message from the House of Representatives, informing the Senate that the House had disagreed to the Senate's amendments to the amendment of the House to the bill prohibiting certain persons from holding office, and that Messrs. Linton, Roysdon, and Cocke, were appointed a committee to confer with such

committee as might be appointed on the part of the Senate, on that subject.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

SATURDAY, *Ociober* 22, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill, entitled An act to regulate damages on bills of exchange, drafts, &c., reported the same, with an amendment; which amendment was adopted.

Mr. *Smith*, from the committee on ways and means, to whom had been referred the bill, entitled An act for the relief of Isaac Bowers and others, reported unfavorably to the passage of said bill.

Whereupon, the report of the committee was concurred in, and the bill rejected.

Mr. *Ferguson*, from the committee on counties and county lines, to whom had been referred the bill, entitled An act providing for the erection of public buildings, reported the same, with an amendment; which was adopted.

Mr. *Hill*, from the committee on the judiciary, to whom had been referred the bill, entitled An act establishing the office of Attorney General, reported unfavorably to the passage of said bill.

On the question, "Shall the Senate concur in the report of the committee?" the ayes and nays, were called for, and were as follows, to wit:

Ayes—Messrs. Ball, Hill, Izard, Kuykendall, McCamy, Smith, and Thornton.

Nays—Messrs. Brown, Clark, Ferguson, McKean, McLain, Ringgold, Saunders, Williamson, and Mr. President.

A majority having voted in the negative, the report was non-concurred in.

Mr. *Ringgold*, from the committee on ways and means, to whom had been referred the bill, entitled An act to compensate David G. Eller, for work and labor done in preparing the State-house for the reception of the present General Assembly, reported the same, with an amendment, which was adopted.

Mr. *Ferguson*, from the committee on banking, to whom was referred the bill, entitled An act to incorporate the Bank of the State of Arkansas, reported the same, with an amendment; which amendment was adopted.

Mr. *Clark*, from the select committee to whom was referred the bill, entitled An act defining the boundaries of Union county, reported the same, with an amendment; which was adopted.

On motion of Mr. *Clark*, said bill was then read a third time, on its final passage, passed, and was returned to the House of Representatives for their concurrence.

Mr. *Ringgold*, from the committee on ways and means, to whom had been referred the resolution directing said committee to inquire into the expediency of empowering the Governor to negotiate a loan, reported a bill, entitled An act authorizing the Governor to negotiate a loan for forty thousand dollars; which was read a first time.

On motion of Mr. *Ball*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Clark*, the rules were again dispensed with, the bill read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

On the question, "Shall the bill pass?" the ayes and nays were called for, and were as follows:

Ayes—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, Kuykendall, McCamy, McKean, McLain, Ringgold, Saunders, Thornton, and Mr. President.

Nays—Messrs. Smith and Williamson.

On motion of Mr. *Ball*, a committee, consisting of Messrs. Ball, Clark, and Thornton, was appointed to confer with the committee appointed by the House of Representatives, on the subject of the disagreement of the House to the Senate's amendment to the amendment of the House to the bill, entitled An act prohibiting certain persons from holding office.

On motion of Mr. *Ringgold*, the Senate now took up the bill, entitled An act to incorporate the Bank of the State of Arkansas, as amended by the House of Representatives.

On motion of Mr. *Hill*, the first amendment was amended by striking out "one million five hundred thousand," and inserting in lieu thereof "one million."

The Senate then concurred in the amendment to the thirtieth section, and rejected the other amendments made by the House.

Mr. *Hill* introduced the following resolution, which lies on the table, to wit:

Resolved, That Monday, the 24th inst., be a day appointed, after which no new bill shall be introduced into either house of the present General Assembly.

Mr. Cocke presented a message from the House of Representatives, informing the Senate that the House disagreed to the amendment of the Senate to the bill, entitled An act to authorize a change of venue in criminal cases.

Mr. *Ball* moved that the Senate insist on their amendment.

On the question, "Shall the Senate insist?" the ayes and nays were called for, and were as follows:

Ayes—Messrs. Ball, Brown, Clark, Hill, Izard, McCamy, McLain, Smith, Saunders, Thornton, and Mr. President.

Nays—Messrs. Ferguson, Ringgold, and Williamson.

So, a majority having voted in the affirmative, the Senate insisted on their amendment, and the House of Representatives was informed thereof.

Mr. Philips presented a message from the House of Representatives,

informing the Senate that the House adhered to their disagreement to the amendment of the Senate to the bill, entitled An act to authorize a change of venue in criminal cases; and that Messrs. Philips, Smith, and Pelham, were appointed a committee to confer with such committee as the Senate might appoint on that subject.

Mr. Davies presented a message from the House of Representatives, informing the Senate that the House had passed the bill, entitled An act authorizing the Governor to negotiate a loan for forty thousand dollars, with amendments; and that their concurrence was asked therein.

Mr. Logan presented a message from the House of Representatives, informing the Senate that the House disagreed to the amendment of the Senate to the bill, entitled An act providing for holding a special term of the Supreme Court.

On motion of Mr. *Ball*, the Senate insisted on their amendment, and the House were informed thereof.

Mr. Franks presented a message from the House of Representatives, informing the Senate that the House concurred in the amendments of the Senate to the bills, entitled An act to authorize the removal of the administration upon the estate of Austin Kendrick, deceased; and to the bill, entitled An act to appoint commissioners to lay off lots in the town of Murfreesborough, and for other purposes; also, that the bill to re-locate the seat of justice of St. Francis county, had passed the House, with an amendment to the title, and was therewith returned for the concurrence of the Senate. Also, that the following resolution, to which the concurrence of the Senate was asked, had passed the House, to wit:

Resolved, That no original bill or memorial of any character whatever, shall be received by either house after Wednesday next, the 26th inst.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

MONDAY, *October* 24, 1836.

The Senate convened pursuant to adjournment.

Mr. *Smith*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act for the organization and government of the militia of this State, and an act to establish the Real Estate Bank of the State of Arkansas.

Mr. *Ball*, from the committee on the judiciary, to whom was referred the bill, entitled An act defining the punishment to be inflicted on persons guilty of the crime of maiming, reported that it was inexpedient at this time to legislate farther in relation to the subject matter of said bill.

The committee therefore recommend that it be laid on the table.

Whereupon, the report of the committee was concurred in, and the bill laid on the table.

Mr. *Smith*, from the select committee, to whom had been referred the bill, entitled An act concerning public roads and highways, reported the same, with an amendment.

Mr. *Izard* moved to amend the amendment, by providing that all summonses and executions against delinquents failing to work on the road should be directed to, and executed by, the constable of the township, instead of the overseer of the road; which amendment was adopted.

On motion of Mr. *Izard*, said bill and amendments were then laid on the table.

Mr. *Ball*, on leave granted, introduced a bill, to be entitled An act providing for a seal of the State of Arkansas; which was read a first time, and ordered to a second reading on to-morrow.

Mr. *McCamy*, on leave granted, introduced a bill, entitled An act to incorporate the Fayetteville Female Academy; which was read a first time.

On motion of Mr. *McCamy*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *McCamy*, the rules were again dispensed with, the bill read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

Mr. *Izard* asked and obtained leave to introduce a bill, to be entitled An act to provide for leasing, for a limited time, the lands reserved by the Congress of the United States for the support of schools in each township, and for other purposes; which was read a first time.

On motion of Mr. *Izard*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Clark*, said bill was then referred to a select committee, consisting of Messrs. Clark, Izard, and Ferguson.

Mr. *Brown* asked and obtained leave to introduce a bill, to be entitled An act concerning Territorial scrip; which was read a first time.

On motion of Mr. *Brown*, the rules were dispensed with, and the bill read a second time.

Mr. *Smith* then moved that the rules be again dispensed with, and the bill read a third time; which motion was negatived, and the bill ordered to a third reading on to-morrow.

Mr. *McLain*, on leave granted, introduced a bill, to be entitled An act to define the boundary line of Saline county; which was read a first time.

On motion of Mr. *McLain*, the rules were dispensed with, the bill read a second time, and ordered to a third reading on to-morrow.

Mr. *Ringgold* moved for leave to re-consider his vote on the rejection of the amendment of the House of Representatives, as amended by the Senate, to the first section of the bill, entitled An act to incorporate the Bank of the State of Arkansas; which motion was agreed to.

The amendment, as previously amended, by the Senate, was then adopted.

Mr. *Ringgold* then moved for leave to re-consider his vote on the rejection of the amendment of the House to the 17th section of the same bill; which motion was agreed to, and the amendment adopted.

On motion of Mr. *Hill*, the resolution from the House of Representatives, providing that no original bill or memorial of any character whatever, shall be introduced into either house after Wednesday, the 26th instant, was now taken up, and adopted, by a vote of 10 to 5, as follows:

Ayes—Messrs. Ball, Clark, Hill, Izard, McLain, Ringgold, Smith, Thornton, Williamson, and Mr. President.

Nays—Messrs. Brown, Ferguson, McCamy, McKean, and Saunders.

Mr. *Smith* then introduced the following resolution, to wit:

Resolved, That the two houses of the General Assembly of Arkansas adjourn, on Monday, the 31st inst. *sine die*, and that the House of Representatives be requested to concur therein.

On motion of Mr. *Ferguson*, said resolution was laid on the table until the 1st day of November, by a vote of 9 to 6, as follows:

Ayes—Messrs. Brown, Ferguson, Izard, McCamy, McKean, McLain, Ringgold, Saunders, and Mr. President.

Nays—Messrs. Ball, Clark, Hill, Smith, Thornton, and Williamson.

On motion of Mr. *Thornton*, the bill, entitled An act to provide for the incorporation of churches, with the report of the select committee, to whom the matter had been referred, was now taken up.

Mr. *Izard* moved the adoption of the amendment recommended by the committee.

Mr. *Thornton* moved the following, as an amendment to the amendment, to wit: Strike out all after the word "that," in the first line of the amendment recommended by the committee, and insert the following, in lieu thereof: "When the members of any religious denomination or denominations, within this State, shall present a petition to the circuit court of their county, setting forth that they are desirous of erecting a church or camp-ground, and securing the lands, the quantity not exceeding forty acres, upon which the same is situated, for the benefit of the members thereof, and that they have appointed certain persons therein named, as trustees for said church or camp-ground, and praying that said trustees may be recognized as such for the preservation and regulation of said church or camp-ground, with its burying grounds attached thereto; and if the said court shall be satisfied that at least twelve members of said society or societies have signed such petition, and that the prayer of said petitioners is otherwise reasonable; and if said petition shall have attached to it the certificate of the pastor or preacher in charge of said church or churches, and two other official members, that the persons named in said petition, as trustees, had been duly and officially appointed by said church, as such trustees, then it shall be lawful for said court to order and authorize said trus-

tees, and their successors in office, to be capable, in deed and in law, to receive, hold, purchase, and dispose of, such property, real and personal, as may be necessary for the erection of a house or camp-ground of public worship and burying the dead; to be known in law, to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity, and in all actions and matters whatsoever.

"SEC. 2. *Be it further enacted*, That in all cases of vacancies in the office of trustee, said vacancy or vacancies shall be filled in the same manner that original appointments are required by this act to be made."

On the question, "Shall the said amendment to the amendment be adopted?" it was rejected by a vote of 10 to 6, as follows:

Yeas—Messrs. Ferguson, Hill, McLain, Ringgold, Smith, and Thornton.

Nays—Messrs. Ball, Brown, Clark, Izard, Kuykendall, McCamy, McKean, Saunders, Williamson, and Mr. President.

On motion of Mr. *Izard*, the amendment of the committee was then adopted, by a vote of 10 to 6, as follows:

Ayes—Messrs. Ball, Brown, Clark, Izard, Kuykendall, McCamy, McKean, Saunders, Williamson, and Mr. President.

Nays—Messrs. Ferguson, Hill, McLain, Ringgold, Smith, and Thornton.

On motion of Mr. *Izard*, said bill was then amended by substituting, in lieu of the original title, the following, to wit: A bill to provide for the protection of religious congregations.

At the request of the House of Representatives, a committee, consisting of Messrs. Ball, Izard, and Hill, was appointed to confer with the committee appointed for that purpose on the part of the House of Representatives, upon the subject of the disagreement between the two houses upon the subject of the amendment of the Senate to the bill, entitled An act to authorize a change of venue in criminal cases.

Mr. Davies presented a message from the House of Representatives, informing the Senate that the House had passed the bill, entitled An act authorizing the Governor to negotiate a loan for forty thousand dollars, with amendments, by striking out "forty," and inserting "sixty," and asking the concurrence of the Senate therein.

Whereupon, on motion of Mr. *Thornton*, the Senate disagreed to the amendment, and the House were informed thereof.

Mr. Drennen presented a message from the House of Representatives, informing the Senate that the House had passed the bills from the Senate, entitled An act to incorporate the Fayetteville Female Academy, and an act authorizing the State Treasurer to receive the surplus revenue due and coming to the State, under an act of Congress approved June 23d, 1836; which were therewith returned to the Senate; also, that the House adhered to their amendment to the bill providing for holding a special term of the Supreme Court.

Whereupon, on motion of Mr. *Ball*, the Senate insisted on their disagreement to said amendment, and a committee, consisting of

Messrs. Ball, Ringgold, and Izard, was appointed to confer with any committee that might be appointed on that subject by the House of Representatives; also, that the following bills had passed the House, and was therewith transmitted for the concurrence of the Senate, to wit: An act regulating the terms and prescribing the powers and duties of the circuit courts of the State of Arkansas; which was read a first time.

On motion of Mr. *Ball*, the rules were dispensed with, the bill read a second time, and referred to the committee on the judiciary.

Also, an act to authorize the administrator and administratrix of the estate of Bernard Smith, deceased, to sell the negroes and land belonging to said estate.

Which was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, the bill read a second time; and, on motion of Mr. *Ball*, the bill was amended, by striking out the two last lines; it was then ordered to a third reading on to-morrow; also, an act for the relief of William Crawford; which was read a first time.

On motion of Mr. *Williamson*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *McCamy*, said bill was then referred to the committee on ways and means; also, an act to authorize the administrator and administratrix of the estate of William S. Rochester, deceased, to sell certain real estate; which was read a first time.

On motion of Mr. *Hill*, the rules were dispensed with, the bill read a second time, and referred to a select committee, consisting of Messrs. Hill, McKean, and Clark.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

TUESDAY, *October* 25, 1836.

The Senate convened pursuant to adjournment.

Mr. *Smith*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act to fill vacancies in the General Assembly; an act supplementary to an act entitled an act permanently to fix the seat of justice in the county of Sevier, and appointing trustees for the same; an act to incorporate the town of Arkansas; an act to appoint commissioners to lay off lots in the town of Murfreesborough, and for other purposes; and an act to authorize the removal of the administration of the estate of Austin Kendrick, deceased.

Mr. *Brown*, from the same committee, reported the following bills, as correctly enrolled, to wit: An act to regulate the duty of clerks; an act providing for the revision of the laws of the State of Arkansas; an act regulating the duties of Clerk of the Supreme Court; an act to regulate the office of sheriffs; an act for the relief of John R. Dooley; and a memorial to the Congress of the United States.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill, entitled An act to regulate the practice of the Supreme Court on appeals and writs of error, reported the same, with amendments; which were adopted.

On motion of Mr. *Ball*, said bill was then read a third time, on its final passage, passed, and was returned to the House of Representatives for their concurrence.

Mr. *Clark*, from the select committee to whom had been referred the bill, entitled An act to remove the seat of justice of Union county, reported the same, with an amendment; which was adopted.

On motion of Mr. *Clark*, said bill was then read a third time, on its final passage, passed, and was returned to the House of Representatives for their concurrence.

Mr. *Ball*, from the committee appointed to confer with a similar committee appointed on the part of the House of Representatives, on the subject of the disagreement of the House to the Senate's amendments to the amendment of the House, to the bill prohibiting certain persons from holding office, reported that the committee had performed the duties assigned them, and recommend that the Senate recede from their amendments.

Whereupon, on motion of Mr. *Thornton*, the Senate concurred in the report from the committee, and the House were informed thereof.

Mr. *Clark*, from the select committee to whom had been referred the bill to provide for leasing, for a limited time, the lands reserved by the Congress of the United States for the support of schools in each township, and for other purposes, reported unfavorably to the passage of said bill.

On motion of Mr. *Izard*, the bill and report were laid on the table till to-morrow.

On motion of Mr. *Hill*, the act more particularly defining the south-eastern boundary of Sevier county, with the proposed amendment, was now taken up.

Whereupon, said amendment was adopted.

On motion of Mr. *Hill*, said bill, as amended, was then read a third time, on its final passage, passed, and was returned to the House of Representatives for their concurrence.

Mr. *Ferguson*, on leave granted, introduced a bill, to be entitled An act to authorize the Governor to have the west wing of the State-house covered, which was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, the bill read a second time, and referred to the committee on ways and means.

Mr. *Kuykendall*, on leave granted, introduced a bill, to be entitled An act to define and establish the boundary lines of Van Buren county; which was read a first time.

On motion of Mr. *Kuykendall*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Kuykendall*, the rules were again dispensed with, the bill read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

Mr. *Izard*, on leave granted, introduced a bill, to be entitled An act to prevent the practice of carrying concealed weapons; which was read a first time.

On motion of Mr. *Izard*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Clark*, said bill was then referred to a committee of the whole, and made the order of the day for to-morrow.

Mr. *McCamy*, on leave granted, introduced a bill, to be entitled An act to authorize the Supreme Court to make certain allowances to the Clerk of said court; which was read a first time.

On motion of Mr. *McCamy*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Izard*, said bill was then referred to a select committee, consisting of Messrs. Izard, McCamy, and Brown.

Mr. *Williamson*, on leave granted, introduced a bill, to be entitled An act to elect commissioners to locate the seat of justice permanently in the county of Pope; which lies on the table.

On motion of Mr. *Ferguson*, the orders of the day were now taken up.

The bill, to be entitled An act providing for a seal of the State of Arkansas, was taken up, and read a second time.

On motion of Mr. *Ball*, the rules were dispensed with, the bill read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, to be entitled An act concerning Territorial scrip, was taken up, and, on motion of Mr. *Smith*, referred to the committee on ways and means.

The act to define the boundary line of Saline county, was taken up, and, on motion of Mr. *McKean*, laid on the table.

The act to provide for the protection of religious congregations, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The act to authorize the administrator and administratrix of the estate of Bernard Smith, deceased, to sell the negroes and land belonging to said estate, was taken up, and, on motion of Mr. *Ball*, referred to a select committee, consisting of Messrs. Hill, Clark, and McKean.

The act to regulate damages on bills of exchange, drafts, &c., was taken up, and, on motion of Mr. *Ringgold*, referred to a select committee, consisting of Messrs. Ringgold, Smith, Ferguson, and McLain.

The act providing for the erection of public buildings, was taken up, read a third time, and rejected.

The act establishing the office of Attorney General, was taken up, and, on motion of Mr. *Smith*, laid on the table till the first day of January next, by a vote of 9 to 5, as follows:

Ayes—Messrs. Ball, Brown, Hill, Izard, McCamy, Smith, Saunders, Thornton, and Williamson.

Nays—Messrs. Clark, Ferguson, McKean, Ringgold, and Mr. President.

The act to compensate David G. Eller, for work and labor done in preparing the State-house for the reception of the present General Assembly, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The act concerning accessories, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The act to regulate proceedings of the General Assembly, in certain cases, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The act to authorize William D. Ferguson to build a toll-bridge across Black Fish Lake, was taken up.

Mr. *Thornton*, moved that the following be added to the first section of said bill; which motion was rejected, to wit: "*Provided*, That said bridge shall not be built across said lake, so as to interfere with, or obstruct, the United States road now laid out and crossing the same.

Mr. *McCamy* moved the following, as an additional section to wit:

Be it further enacted, That if the said Ferguson shall fail to build said bridge within the term of three years, all privileges granted by this act shall cease.

Mr. *Ringgold* moved to amend the amendment, by striking out the word "three," and inserting "five;" which motion was agreed to.

The amendment, as amended, was then adopted.

Said bill, as amended, was then read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The act concerning poor persons, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The act respecting notice of petitions to the General Assembly, was taken up; and, on motion Mr. *McKean*, referred to a select committee, consisting of Messrs. McKean, Ball, and Saunders.

Mr. Judkins presented a message from the House of Representatives, informing the Senate that the House concurred in the resolution of the Senate providing for the printing seven hundred copies of the act for the organization and government of the militia of this State.

Mr. Philips presented a message from the House of Representatives, informing the Senate that bills of the following titles had been introduced into the House, to wit: An act to define and strengthen the western boundary line of the county of Marion; an act to amend the laws now in force concerning actions of ejectment, actions of forcible entry and detainer, and unlawful detainer; and an act to locate sections No. sixteen in townships where the same have been appropriated. Also, that the following bills had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit: An act to define the boundaries of Arkansas county.

Whereupon, said bill was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Clark*, said bill was then referred to the committee on counties and county lines.

Also, an act regulating the duties of Attorneys for this State.

Whereupon, said bill was read a first time.

On motion of Mr. *Ball*, the rules were dispensed with, the bill read a second time, and referred to the committee on the judiciary.

Also, an act to define the boundary lines of Jefferson county.

Whereupon, said bill was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Ferguson*, the rules were again dispensed with, the bill read a third time, on its final passage, passed, and was returned to the House of Representatives.

Also, a memorial to Congress, asking an appropriation to repair the road from Little Rock to Fort Smith.

Whereupon, said memorial was read a first time.

On motion of Mr. *Smith*, the rules were dispensed with, and the memorial read a second time, and referred to the committee on memorials.

Mr. Whinnery presented a message from the House of Representatives, informing the Senate that the following bills had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit: An act authorizing John B. Hammond, executor of the estate of Henderson White, deceased, to sell real estate.

Whereupon, said bill was read a first time.

Mr. *Smith* moved that the rules be dispensed with, and the bill read a second time; which was negatived.

Whereupon, said bill was ordered to a second reading on to-morrow.

Also, an act to locate the seat of justice of Van Buren county; an act in aid of titles; an act concerning impeachments; an act more specifically defining the interest on money, and regulating the recovery thereof; and a memorial to Congress asking an appropriation for the completion of the road from Helena to Little Rock. Also, that the bill from the Senate, entitled An act concerning constables, had passed the House with amendments, and was therewith returned for the concurrence of the Senate. Also, that the following bills, from the Senate, had passed the House, and were therewith returned, to wit: An act concerning fugitives from justice, and an act providing the mode of establishing county lines.

Mr. Roberts presented a message from the House of Representatives, informing the Senate that the House receded from their amendment to the bill authorizing the Governor to negotiate a loan for forty thousand dollars.

On motion of Mr. *Smith*, the bill, to be entitled An act concerning public roads and highways, with the proposed amendments, was now taken up.

Mr. *Izard* moved the following, as an amendment to the amendment to the 18th section; which was adopted, to wit: Strike out all after the word "work," in the 11th line, and insert the following: "Directed to the constable of the proper township, whose duty it shall be to execute and return the same as in other cases; and it shall be the duty of such justice, on the evidence of said overseer, to proceed to enter judgment against all such defaulters, as provided for in this act, together with costs of suit: *Provided*, All excuses shall be allowed to be pleaded in defence; and if, in the opinion of said justice, the excuse made by the person or persons so charged, shall appear reasonable, every such person or persons may be acquitted; but in all cases where judgment shall pass against any person or persons for a failure to work on any road to which he or they may be appointed, it shall be the duty of the justice to issue execution, directed to the constable, whose duty it shall be to proceed to collect the same, as in other cases of debt, and pay over the same to the overseer of the proper division, within five days after the same is collected.

The amendments were then adopted, and the bill ordered to be engrossed for a third reading on to-morrow.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

WEDNESDAY, *October* 26, 1836.

The Senate convened pursuant to adjournment.

Mr. *Smith*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act to incorporate the Fayetteville Female Academy; an act to re-locate the seat of justice of St. Francis county, and an act regulating the duties of Auditor and Treasurer.

Mr. *Brown*, from the same committee, reported, as correctly enrolled, the following bill, to wit: An act authorizing the Governor to negotiate a loan for forty thousand dollars.

Mr. *Smith*, from the committee on ways and means, to whom was referred the bill, entitled An act concerning Territorial scrip, reported the same, with an amendment; which was adopted.

Mr. *Ringgold*, from the committee on ways and means, to whom was referred the bill, entitled An act to authorize the Governor to have the west wing of the State-house covered, reported the same, with an amendment.

On motion of Mr. *Thornton*, said bill and amendment were then laid on the table till to-morrow.

Mr. *Ferguson*, from the select committee to whom was referred the bill, to be entitled An act establishing the prices to be paid for printing to be executed by the public printer, reported the same, with an amendment; which was adopted.

Said bill was then ordered to be engrossed for a third reading on to-morrow.

Mr. *Izard*, from the select committee to whom had been referred the bill, to be entitled An act to authorize the Supreme Court to make certain allowances to the clerk of said court, reported that the committee recommend that said bill be laid on the table; which report was concurred in.

Mr. *Ringgold*, from the select committee to whom had been referred the bill, to be entitled An act to regulate damages on bills of exchange, drafts, &c., reported the same, without amendment.

Mr. *Hill*, from the select committee to whom had been referred the bill, entitled An act to authorize the administrator and administratrix of the estate of William S. Rochester, deceased, to sell certain real estate, reported the same, with an amendment.

Mr. *McCamy* moved to strike out the word "fifteen," in said amendment, and insert "thirty;" which was agreed to.

Said amendment, as amended, was then adopted.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill, entitled An act regulating the duties of attorneys for the State, reported the same, with amendments; which amendments were adopted.

Mr. *Ferguson*, on leave granted, introduced a bill, to be entitled An act for selecting salt springs; which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Saunders*, on leave granted, introduced a memorial, asking of Congress an appropriation to open a road from Little Rock to the seat of government in the State of Missouri, passing through the county of Marion; which memorial was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, the memorial read a second time, and referred to the committee on memorials.

Mr. *Ball*, on leave granted, introduced a bill, to be entitled An act to incorporate the town of Fayetteville; which was read a first time.

On motion of Mr. *Ball*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Ball*, the rules were again dispensed with, the bill read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

Mr. *Brown*, on leave granted, introduced a bill, to be entitled An act to provide for assessing and collecting taxes; which was read a first time, and ordered to a second reading on to-morrow.

Mr. *Ferguson*, on leave granted, introduced a bill, to be entitled An act to provide for a house for the Governor of the State of Arkansas; which was read a first time.

Mr. *Thornton* moved to reject said bill; which motion was negatived.

Mr. *Ferguson* moved to dispense with the rules, and read the bill a second time; which motion was rejected.

On motion of Mr. *Smith*, said bill was then referred to the committee on ways and means.

Mr. *Clark*, on leave granted, introduced a bill, to be entitled An act to authorize the county court to levy a tax for certain purposes therein specified; which bill lies on the table.

Mr. *Ferguson*, on leave granted, introduced bills of the following titles, which lie on the table, to wit: An act to authorize the Governor to select a site and contract for the building of a jail in the city of Little Rock, and an act to call in the scrip of Crittenden county.

The bill, from the House, entitled An act to locate the seat of justice of Van Buren county, was read a first time, and, on motion of Mr. *Saunders*, laid on the table.

The bill, from the House, to be entitled An act in aid of titles, was read a first time, and ordered to a second reading on to-morrow.

The bill, from the House, to be entitled An act more specifically defining the interest on money, and regulating the recovery thereof, was read a first time.

On motion of Mr. *Ball*, the rules were dispensed with, the bill read a second time, and referred to the committee on the judiciary.

The bill, from the House, entitled An act concerning impeachments, was read a first time, and, on motion of Mr. *McLain*, laid on the table till the 1st day of January.

The memorial from the House, to Congress, asking an appropriation for the completion of the road from Helena, to Little Rock, was read a first time.

On motion of Mr. *Smith*, the rules were dispensed with, the memorial read a second time, and referred to the committee on memorials.

The amendments of the House of Representatives, to the bill, to be entitled An act concerning constables, were now read and concurred in, and the House informed thereof.

A message from the Governor was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed the following bills, to wit:

An act to regulate the duty of clerks.

An act for the relief of John R. Dooley.

An act providing for a revision of the laws of Arkansas.

An act to regulate the office of Sheriffs.

An act regulating the duties of Clerk of the Supreme Court.

And a memorial asking for an extension of law in relation to soldiers' claims, &c.

Mr. Noland presented a message from the House of Representatives, informing the Senate that the House had concurred in the report of the committee of conference, and receded from their disagreement to the Senate's amendment to an amendment of the House to the bill providing for holding a special term of the Supreme Court.

Mr. May presented a message from the House of Representatives, informing the Senate that the House had passed the following bills, which were therewith transmitted for the concurrence of the Senate, to wit: An act authorizing the administrator of Samson Gray, deceased, to sell real property.

Whereupon, said bill was read a first time, and, on motion of Mr. *Hill*, was laid on the table.

Also, an act to provide for the probate of deeds in this State.

Whereupon, said bill was read a first time, and ordered to a second reading on to-morrow.

Mr. Taafe presented a message from the House of Representatives, informing the Senate that the following bills from the Senate, had passed the House, and were therewith returned, to wit: An act providing for a seal of the State of Arkansas, and an act to provide for the protection of religious congregations, amended by inserting the words "or private family," after the word "congregations," in the 3d line of the 1st section.

Whereupon, said amendment was concurred in by the Senate.

Also, that the House receded from their amendment to the 1st section of the bill to incorporate the Bank of the State of Arkansas, increasing the capital stock of said bank, and also, from their amendment to the 22d section, and insist upon their amendment to the 13th section.

Whereupon, on motion of Mr. *Ringgold*, the Senate receded from their disagreement to the proviso contained in said amendment, and insisted upon their disagreemeut to the remainder of the amendment, and the House were informod thereof.

Also, that the following bill had passed the House, which was therewith transmitted for the concurrence of the Senate, to wit: An act supplementary to an act concerning elections.

Which was read a first time.

On motion of Mr. *McLain*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *McCamy*, the bill was amended, by striking out all after the word "closed," in the 8th line of the 1st secton, and insert the following, in lieu thereof: "between the hours of 5 and 10 o'clock in the afternoon of said day."

The bill was then ordered to a third reading on to-morrow.

Also, that a resolution instructing our Senators, and requesting our representative in Congress, to use their exertions to procure the passage of a law authorizing the Governor to change the locations of any of the seventy-two sections of land donated to the State for the use of a seminary of learning, and locate them on other lands not otherwise appropriated, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said resolution was read and adopted.

Mr. Davies presented a message from the House of Representatives, informing the Senate that the following bills had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit: An act to authorize the Governor of this State to borrow from the Real Estate Bank certain sums of money, and to appropriate the same.

Whereupon, said bill was read a first time.

On motion of Mr. *Ringgold*, said bill was then referred to the committee on ways and means.

Also, an act prescribing the mode of confirming titles to lands sold under the laws of this State, and for other purposes.

Whereupon, said bill was read a first time.

On motion of Mr. *Clark*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Kuykendall*, said bill was then referred to the committee on ways and means.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

THURSDAY, *October* 27, 1836.

The Senate convened pursuant to adjournment.

Mr. *Clark* presented a petition from sundry citizens of Arkansas county, praying to be attached to Jefferson county; which was referred to the committee on counties and county lines.

Mr. *Brown*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act to divide the State into judicial circuits; an act concerning accessories; an act to remove the seat of justice of Union county; an act more particularly defining the south-eastern boundary of Sevier county; an act to define the boundary lines of Jefferson county; an act to regulate the practice of the Supreme Court on appeals and writs of error in civil cases; and an act prohibiting certain persons from holding office.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill, to be entitled An act more specifically defining the interest on money, and regulating the recovery thereof, reported the same, without amendment.

Mr. *Ringgold*, from the committee on ways and means, to whom had been referred the bill, to be entitled An act prescribing the mode of confirming titles to lands sold under the laws of this State, and for other purposes, reported the same, without amendment.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the act regulating the terms and prescribing the powers of the Circuit Courts of the State of Arkansas, reported the same, with an amendment.

Mr. *Clark* moved the following, as an amendment, to be added to the proviso, at the end of the second section of the amendment from the committee, which was adopted, to wit: "*Provided*, That a special term of the circuit court shall be holden for the county of Monroe, to commence on the first Monday of January next; for the county of Arkansas, on the second Monday of January; for the county of Jefferson, on the third Monday of January; for the county of Union, on the fourth Monday of January; and for the county of Chicot, on the first Monday after the fourth Monday of January.

Mr. *McKean* moved the following, which was adopted, as an addition to the same proviso, to wit: "*Provided*, That there shall be a spe-

cial term of the circuit court in the sixth judicial circuit, in the county of Sevier, on the third Monday of November next.

Mr. *McKean*, moved the following, which was adopted, as an addition to the same proviso, to wit: "*Provided*, That a special term of the circuit court shall be held for the county of Hot Spring, on the first Monday of December, and in the county of Pulaski, on the third Monday of December next.

Mr. *Clark* moved farther to amend the amendment, by striking out the word "May," and inserting "April;" and striking out the word "November," and inserting "October," wherever said words occur in that part of the second section of said amendment, prescribing the times of holding the courts in the second judicial circuit.

Which motion of Mr. *Clark* was agreed to.

The question then recurred on the adoption of the original amendment, as amended.

Whereupon, said amendment was adopted.

Mr. *McKean*, from the select committee to whom had been referred the bill, entitled An act respecting notice of petitions to the General Assembly, reported the same, with an amendment; which was adopted.

On motion of Mr. *Ball*, said bill was then referred to the committee on the militia.

On motion of Mr. *Smith*, the orders of the day were now taken up.

The act authorizing John B. Hammond, executor of the estate of Henderson White, deceased, to sell real estate, was taken up, and read a second time.

Mr. *Smith* moved that the rules be dispensed with, and the bill read a second time; which motion was negatived, and the bill ordered to a third reading on to-morrow.

The act concerning public roads and highways, was now taken up, read a third time, on its final passage, and passed, by a vote of 10 to 5, as follows, to wit:

Ayes—Messrs. Ball, Brown, Clark, Hill, Izard, McCamy, Martin, McLain, Saunders, and Smith.

Nays—Messrs. Ferguson, McKean, Ringgold, Thornton, and Williamson.

The bill was then sent to the House of Representatives for their concurrence.

The act concerning Territorial scrip, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The act establishing the prices to be paid for printing to be executed by the public printer, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The act to regulate damages on bills of exchange, drafts, &c., was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill to authorize the administrator and administratrix of the estate of William S. Rochester, deceased, to sell certain real estate, was taken up.

Mr. *Clark* moved to amend, by prefixing a preamble to said bill; which motion was adopted.

Mr. *Ferguson* moved to amend, by inserting after the word "any," line 1st, section 1st, the following, which was adopted, to wit: "Administrator or executor of any estate, or guardian of any minor."

Mr. *Hill* moved farther to amend, by substituting, in lieu of the original title of the bill, the following, which was adopted, to wit: A bill, to be entitled An act prescribing the mode of disposing of real estate belong to the estate of deceased persons.

The question then recurred on the passage of the bill, as amended; which passed by a vote of 11 to 4, as follows:

Ayes—Messrs. Ball, Brown, Clark, Ferguson, Hill, McCamy, Martin, McLain, Thornton, Williamson, and Mr. President.

Nays—Messrs. Izard, McKean, Ringgold, and Saunders.

On motion of Mr. *Clark*, the bill prescribing the mode of confirming titles to lands sold under the laws of this State, and for other purposes, was now taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

On motion of Mr. *Izard*, the bill providing for leasing, for a limited time, the lands reserved by the Congress of the United States for the support of schools in each township, and for other purposes, together with the report of the committee to whom the subject had been referred, was now taken up.

Mr. *Izard* moved to disagree to the report of the committee; which motion was agreed to, and the report non-concurred in, by a vote of 10 to 5, as follows:

Ayes—Messrs. Ball, Brown, Izard, McCamy, Martin, McKean, McLain, Smith, Saunders, and Williamson.

Nays—Messrs. Clark, Ferguson, Hill, Thornton, and Mr. President.

On motion of Mr. *Clark*, said bill was then referred to the committee of the whole, and made the order of the day for to-morrow.

Mr. Davies presented a message from the House of Representatives, informing the Senate that the House agreed to the Senate's amendment to the act regulating proceedings of the General Assembly in certain cases; also, that the following bills from the Senate, had passed the House, and were therewith returned, to wit: An act concerning poor persons; and an act amendatory of an act now in force for the relief of paupers; also, that the House recede from their amendment to the 13th section of the act to incorporate the Bank of the State of Arkansas, with the exception of the proviso to said amendment; also, that the House disagree to the amendment of the Senate to the act to compensate David G. Eller for work and labor done in preparing the State-house for the reception of the present General Assembly.

Whereupon, on motion of Mr. *Thornton*, the Senate insisted on

their amendment, and a committee of conference upon that subject was appointed, consisting of Messrs. Thornton, Ball, and Smith, and the House informed thereof, and requested to appoint a similar committee on their part.

A message from the Governor was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed the following bills, to wit:

An act authorizing the Governor to negotiate a loan for forty thousand dollars.

An act to incorporate the Fayetteville Female Academy.

An act to re-locate the seat of justice of St. Francis county.

And an act regulating the duties of Auditor and Treasurer.

Mr. Logan presented a message from the House of Representatives, informing the Senate that a memorial to Congress on the subject of settlements made on the 16th sections donated for the use of schools, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said memorial was read a first time.

On motion of Mr. *Smith*, the rules were dispensed with, and the memorial read a second time, and referred to the committee on memorials.

Also, that the bill, entitled An act to abolish imprisonment for debt, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *Ball*, the rules were dispensed with, the bill read a second time, and referred to the committee on the judiciary.

Also, that the House had passed the bill to define and establish the boundary lines of Van Buren county, with an amendment.

Whereupon, said amendment was read and adopted.

Mr. Royston presented a message from the House of Representatives, informing the Senate that the House had concurred in the report of the committee of conference upon the subject of the Senate's amendment to the amendment of the House to the bill prohibiting certain persons from holding office.

Mr. Whinnery presented a message from the House of Representatives, informing the Senate that the House had passed an act concerning free negroes and mulattoes, which was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *Hill*, said bill was then laid on the table.

Also, that a memorial to Congress, asking an appropriation for the completion of the road from Memphis to Little Rock, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said memorial was read a first time.

On motion of Mr. *Izard*, the rules were dispensed with, and the memorial read a second time.

On motion of Mr. *Izard*, the rules were farther dispensed with,

the memorial read a third time, on its final passage, passed, and was returned to the House of Representatives.

Also, a resolution requiring the public printer to forward to the clerks of the respective counties, the requisite number of copies of the Journals and acts of the present General Assembly.

Whereupon, on motion of Mr. *Izard*, said resolution was laid on the table.

Mr. *Hill*, from the committee on the militia, to whom had been referred the bill respecting petitions to the General Assembly, reported the same, with an amendment; which was adopted.

On motion of Mr. *Hill*, the original title of said bill was then stricken out, and the following inserted in lieu thereof: An act to repeal the 12th section of an act passed at the present session of the General Assembly.

Mr. Davies presented a message from the House of Representatives, informing the Senate that the act authorizing the Governor to dispose of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State, had passed the House, with an amendment, and was therewith transmitted for the concurrence of the Senate.

Whereupon, on motion of Mr. *Izard*, the Senate disagreed to said amendment, and the House were informed thereof.

Mr. *McKean*, then, at 25 minutes after 2 o'clock, moved that the Senate adjourn.

Whereupon, on motion of Mr. *Ball*, the ayes and nays were called for, and were as follows, to wit:

Ayes—Messrs. Brown, Ferguson, McCamy, Martin, McKean, McLain, Smith, and Saunders.

Nays—Messrs. Ball, Clark, Hill, Izard, Thornton, Williamson, and Mr. President.

A majority having voted in the affirmative, the Senate adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

FRIDAY, *October* 28, 1836.

The Senate convened pursuant to adjournment.

Mr. *Smith*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act concerning fugitives from justice; an act authorizing the State Treasurer to receive the surplus revenue due and coming to the State, under an act of Congress approved June 23d, 1836; an act providing for a seal of the State of Arkansas; an act providing the mode of establishing county lines; also, a resolution providing for the publication and distribution, in pamphlet form, of seven hundred copies of the act for the organization and government of the militia of this State.

The committee on ways and means, to whom was referred the bill

authorizing the Governor of this State to borrow, from the Real Estate Bank, certain sums of money, and to appropriate the same, being equally divided in opinion, two reports were submitted—one by Mr. *Clark*, who reported the bill, without an amendment—and one by Mr. *Ringgold*, who reported said bill with an amendment.

On motion of Mr. *Ferguson*, the bill and reports were then laid on the table.

Mr. *Clark*, from the committee on ways and means, to whom was referred the bill, entitled An act for the relief of William Crawford, reported the same, with an amendment, which was adopted.

On motion of Mr. *Williamson*, said bill was then read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. *Smith*, from the committee on ways and means, to whom was referred the bill to provide for a house for the Governor of the State of Arkansas, reported that the committee deemed it inexpedient, at this time, to legislate upon the subject, and therefore recommend that said bill be indefinitely postponed.

Whereupon, said report was concurred in by a vote of 11 to 4, as follows.

Ayes—Messrs. Brown, Clark, Hill, Izard, McCamy, McKean, McLain, Ringgold, Smith, Thornton, and Williamson.

Nays—Messrs. Ball, Ferguson, Saunders, and Mr. President.

Mr. *Ferguson* introduced the following resolution, to wit:

Resolved, That the following be adopted as a standing rule of the Senate, to wit: That when the Senate are engaged on executive business, they shall sit with closed doors, and under an injunction of secrecy; which injunction shall at any time be taken off on a vote of a majority of the Senate.

On motion of Mr. *Ferguson*, the rules were dispensed with, and said resolution read and adopted.

On motion of Mr. *Izard*, the orders of the day were now taken up.

The bill, entitled An act for selecting salt springs, was taken up, and read a second time.

On motion of Mr. *Ferguson*, the rules were dispensed with, and the bill read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

The bill, entitled An act to provide for assessing and collecting taxes, was taken up, and read a second time.

On motion of Mr. *Brown*, said bill was then laid on the table.

The bill, entitled An act in aid of titles, was taken up, read a second time, and referred to a select committee, consisting of Messrs. Izard, McKean, and Ferguson.

The act to provide for the probate of deeds in this State, was taken up, and read a second time.

On motion of Mr. *McCamy*, the rules were dispensed with, the bill read a third time, on its final passage, passed, and was returned to the House of Representatives.

The act supplementary to an act concerning elections, was taken

up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled An act more specifically defining the interest on money, and regulating the recovery thereof, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled An act authorizing John B. Hammond, executor of the estate of Henderson White, deceased, to sell real estate, was taken up, read a third time, and, on motion of Mr. *Hill*, laid on the table.

The bill, entitled An act regulating the terms and prescribing the powers of the circuit courts of the State of Arkansas, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

On motion of Mr. *Smith*, the Senate now resolved itself into a committee of the whole, Mr. *Williamson* in the chair, on the bill, entitled An act for the introduction of slaves in this State, and police regulations concerning them; and after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Williamson* reported that the committee had had said bill under consideration, had gone through the same, and asked leave to report the same, without amendment.

On motion of Mr. *Izard*, the Senate now resolved itself into a committee of the whole, Mr. *Ringgold* in the chair, on the bill, to be entitled An act providing for the election of a member of Congress from this State; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Ringgold* reported that the committee had, according to order, had said bill under consideration, had gone through the same, and asked leave to report the same, without amendment.

On motion of Mr. *Izard*, the Senate now resolved itself into a committee of the whole, Mr. *Smith* in the chair, on the bill, to be entitled An act to prevent the practice of carrying concealed weapons; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Smith* reported that the committee had had said bill under consideration, had gone through the same, and asked leave to report the same, without amendment.

On motion of Mr. *Brown*, the Senate now resolved itself into a committee of the whole, Mr. *Ferguson* in the chair, on the bill, to be entitled An act directing in what courts and manner suits may be commenced by and against the State; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Ferguson* reported that the committee had, according to order, had said bill under consideration, had gone through the same, and asked leave to report the same, without amendment.

On motion of Mr. *Izard*, the Senate now resolved itself into a committee of the whole, Mr. *McKean* in the chair, on the bill, entitled An act to provide for leasing, for a limited time, the lands reserved by the Congress of the United States for the support of schools in

each township, and for other purposes; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *McKean* reported that the committee had had said bill under consideration, had gone through the same, and asked leave to report, without amendment.

On motion of Mr. *Izard*, said bill was then read a third time, on its final passage, and rejected.

On motion of Mr. *McCamy*, the bill, entitled An act to locate the seat of justice of Van Buren county, was taken up, and read a second time.

On motion of Mr. *McCamy*, the rules were dispensed with, the bill read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. Shell presented a message from the House of Representatives, informing the Senate that the House had appointed Messrs. Noland, Byrd, and Williamson, a committee to confer with the committee appointed by the Senate, on the subject of the Senate's amendment to the bill to compensate David G. Eller for work and labor done in preparing the State-house for the reception of the present General Assembly.

Mr. Alston presented a message from the House of Representatives, informing the Senate that the House had passed a bill, entitled An act to establish county courts; which was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, the bill read a second time, and referred to the committee on the judiciary.

On motion of Mr. *Ball*, the bill, to be entitled An act providing for the election of a member of Congress from this State, was taken up, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

On motion of Mr. *Izard*, the bill, to be entitled An act to prevent the practice of carrying concealed weapons, was now taken up.

Mr. *Clark* moved to refer said bill to a select committee; which motion was negatived.

The bill was then read a third time, on its final passage, and passed, by a vote of 11 to 4, as follows:

Ayes—Messrs. Ball, Izard, McCamy, Martin, McKean, McLain, Saunders, Smith, Thornton, Williamson, and Mr. President.

Nays—Messrs. Brown, Clark, Ferguson, and Ringgold.

The bill was then sent to the House of Representatives for their concurrence.

On motion of Mr. *Smith*, the bill for the introduction of slaves in this State, and police regulations concerning them, was now taken up, and referred to a select committee, consisting of Messrs. Smith, Williamson, and McLain.

On motion of Mr. *Ringgold*, the bill, entitled An act authorizing the Governor of this State to borrow, from the Real Estate Bank, certain sums of money, and to appropriate the same, together with the two re-

ports from the committee of ways and means upon that subject, was taken up.

On motion of Mr. *Ringgold*, the amendment reported by him, as chairman of said committee, was then adopted, by a vote of 9 to 7, as follows:

Ayes—Messrs. Ball, Brown, Izard, McCamy, McLain, Ringgold, Smith, Saunders, and Williamson.

Nays—Messrs. Clark, Ferguson, Hill, Martin, McKean, Thornton, and Mr. President.

Mr. *Ferguson* then moved to lay said bill on the table until the first day of January; which motion was rejected, by a vote of 8 to 8, as follows:

Ayes—Messrs. Clark, Ferguson, Hill, McCamy, McKean, Saunders, Thornton, and Mr. President.

Nays—Messrs. Ball, Brown, Izard, Martin, McLain, Ringgold, Smith, and Williamson.

On motion of Mr. *Thornton*, said bill was then laid on the table until Monday.

On motion of Mr. *Izard*, the Senate insisted on their disagreement to the amendment of the House of Representatives to the bill, entitled An act authorizing the disposition of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State; and a committee, consisting of Messrs. Izard, Ball, and Hill, was appointed to confer with any committee that might be appointed on that subject.

Mr. *McCamy* moved for leave to re-consider his vote on the rejection of the bill, entitled An act providing for leasing, for a limited time, the lands reserved by the Congress of the United States for the support of schools in each township, and for other purposes; which motion was rejected.

On motion of Mr. *McLain*, the bill, entitled An act to define the boundary line of Saline county, was now taken up.

Mr. *McLain* offered an amendment to said bill; when, upon motion of Mr. *Thornton*, the bill was referred to a select committee, consisting of Messrs. Thornton, McLain, and McKean.

On motion of Mr. *Clark*, the bill, entitled An act to authorize the county court to levy a tax for certain purposes therein specified, was taken up, and referred to a select committee, consisting of Messrs. Clark, Izard, and Thornton.

Mr. Cocke presented a message from the House of Representatives, informing the Senate that a bill, entitled An act to provide for a permanent system of revenue for the State of Arkansas, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time, and, on motion of Mr. *Ringgold*, referred to the committee on ways and means.

Mr. Roberts presented a message from the House of Representatives, informing the Senate that the following bills, from the Senate,

had passed the House, and were therewith returned, to wit: An act concerning public roads and highways; an act to incorporate the town of Fayetteville; and an act to repeal the twelfth section of an act passed at the present session of the General Assembly, entitled An act for the government and organization of the militia of this State.

Mr. Royston presented a message from the House of Representatives, informing the Senate that the House concurred in the amendments of the Senate to the act regulating damages on bills of exchange, drafts, &c., and to the act for the relief of William Crawford; also, that Messrs. Smith, Shell, and Pelham, were appointed a committee to confer with the committee appointed by the Senate on the subject of the Senate's disagreement to the amendment of the House to the bill, entitled An act authorizing the disposition of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State.

The act regulating the duties of attorneys for the State, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

SATURDAY, *October* 29, 1836.

The Senate convened pursuant to adjournment.

Mr. *Smith* presented a petition and remonstrance from sundry citizens of the county of Randolph, upon the subject of the removal of the seat of justice of said county; which, on motion of Mr. *Smith*, were laid on the table.

Mr. *Brown*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act to provide for the probate of deeds in this State; and an act to repeal the twelfth section of an act passed by the present General Assembly, entitled An act for the government and organization of the militia of this State.

Mr. *Ferguson*, from the committee on memorials, to whom had been referred the memorial, asking an appropriation for the completion of the road from Little Rock to the western frontier, reported the same, without amendment.

On motion of Mr. *Ferguson*, said memorial was then read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill, to be entitled An act to establish county courts, reported the same, with an amendment, which was adopted.

Mr. *Ferguson*, from the committee on memorials, to whom had been referred the memorial to Congress, asking an appropriation to com-

plete the road from Helena, so as to intersect the road from Memphis to Little Rock, reported the same, without amendment.

On motion of Mr. *Ferguson*, said memorial was then read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. *Ringgold* and Mr. *Clark*, from the committee on ways and means, to whom had been referred the act to provide for a permanent system of revenue for the State of Arkansas, each submitted a report, recommending amendments to said bill.

That submitted by Mr. *Ringgold*, recommended that the words "one dollar and twenty-five cents," in the second proviso of the first section of said bill, be stricken out, and the words "two dollars and fifty cents," be inserted in lieu thereof, as the minimum valuation per acre of lands.

The report submitted by Mr. *Clark*, recommended that the same words be stricken out, and "three dollars and seventy-five cents," be inserted in their stead.

Mr. *McCamy* moved that the words "three dollars and seventy-five cents," in this latter amendment of the committee, be stricken out, and "three dollars," inserted in lieu thereof;

Which was agreed to, by a vote of 9 to 8, as follows:

Ayes—Messrs. Ball, Brown, Kuykendall, McCamy, McLain, Smith, Saunders, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, Hill, Izard, Martin, McKean, Ringgold, and Thornton.

The amendment, as amended, was then adopted.

Mr. *McCamy* then moved that the whole of said second proviso be stricken out, and the following inserted in lieu thereof, viz: "*Provided, further*, That no lands shall be valued at a less price per acre than three dollars."

Mr. *Ferguson* then moved that the bill and amendments be referred back to the committee on ways and means; which motion was negatived.

On motion of Mr. *Thornton*, said bill and amendments were then referred to a select committee, consisting of Messrs. Thornton, McLain, Ferguson, Williamson, and McCamy.

Mr. *Ferguson*, from the committee on counties and county lines, to whom had been referred the bill, entitled An act to define the boundaries of Arkansas county, reported the same, with an amendment; which was adopted.

On motion of Mr. *Clark*, said bill was then read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. *McLain*, from the select committee to whom had been referred the act to define the boundary line of Saline county, reported the same, with an amendment; which was adopted.

On motion of Mr. *McLain*, said bill was then read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

Mr. *Smith*, from the select committee to whom had been referred the bill, to be entitled An act for the introduction of slaves in this State, and police regulations, reported the same, with amendments: one to the title, by striking out the words, "and police regulations concerning them," and the other to the body of the bill; both of which were adopted.

A message from the Governor was presented by his private Secretary, informing the Senate that he had approved and signed the following bills and resolution, to wit:

An act concerning fugitives from justice.

An act authorizing the State Treasurer to receive the surplus revenue due and coming to the State, under an act of Congress, approved June 23d, 1836.

An act providing for a seal of the State of Arkansas.

An act providing the mode of establishing county lines.

An act for the organization and government of the militia of this State.

And a resolution for the publication and distribution of seven hundred pamphlet copies of the militia law.

Mr. Anthony presented a message from the House of Representatives, informing the Senate that a bill, to be entitled An act to re-locate the county seat of Randolph county, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *Smith*, the rules were dispensed with, the bill read a second time, and referred to a select committee, consisting of Messrs. Smith, Ferguson, and Ringgold.

Mr. Roberts presented a message from the House of Representatives, informing the Senate that the House had passed the bill, which originated in the Senate, entitled An act for selecting salt springs; also, that the House disagreed to the amendment of the Senate to the bill, entitled An act regulating the terms and prescribing the powers and duties of the circuit courts of the State of Arkansas.

Whereupon, on motion of Mr. *Ball*, the Senate insisted upon their amendment, and the House were informed thereof.

Mr. *Thornton*, from the committee of conference appointed to confer with a similar committee appointed on the part of the House of Representatives in relation to the disagreement of the House to the Senate's amendment to the bill, entitled An act to compensate David G. Eller for work and labor done in preparing the State-house for the reception of the present General Assembly, reported that they had performed the duties assigned them, and recommend that the Senate recede from their amendment.

Whereupon, said report was concurred in, and the House informed thereof.

Mr. Noland presented a message from the House of Representatives, informing the Senate that the House had adopted the report of the committee of conference in relation to the disagreement of the House to the Senate's amendment to the bill, entitled An act to compensate David G. Eller for work and labor done in preparing the State-

house for the reception of the present General Assembly; also, that the House had passed a bill, entitled An act supplementary to the laws now in force providing for the killing of wolves; which was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

Mr. *Ringgold* moved to lay the bill on the table until the first day of January; which motion was negatived.

Mr. *Smith* moved to refer the bill to the committee on the judiciary; which was negatived.

Mr. *Kuykendall* then moved to refer said bill to a select committee; which was also negatived.

On motion of Mr. *Ball*, said bill was then referred to the committee on the militia.

Mr. *Izard*, from the committee appointed to confer with a similar committee appointed by the House of Representatives in relation to the Senate's disagreement to the amendment of the House to the bill authorizing the disposition of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State, reported that the committee had agreed upon an amendment to the fifth section of the bill, in lieu of the whole amendment of the House of Representatives, and recommend its adoption by the Senate.

Whereupon, said report was concurred in, the amendment recommended adopted, and the House informed thereof.

On motion of Mr. *Ferguson*, the bill, entitled An act to authorize the Governor to have the west wing of the State-house covered, together with the amendment reported from the committee of ways and means, was now taken up.

Mr. *Thornton* moved to refer said bill and amendment to the committee on the militia; which was negatived.

Mr. *McCamy* then moved to lay the bill and amendment on the table until Monday; which was negatived.

On motion of Mr. *Izard*, the amendment was then adopted, the bill, as amended, read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

Mr. Adams presented a message from the House of Representatives, informing the Senate that the House concurred in the amendments of the Senate to the act regulating the duties of attorneys for the State, with an amendment to the last amendment of the Senate; which was therewith transmitted for the concurrence of the Senate.

Whereupon, said amendment to the amendment, was read and adopted.

Mr. Linton presented a message from the House of Representatives, informing the Senate that a bill, entitled An act to authorize certain creditors of the estate of Samuel Parker, deceased, to authenticate their claims, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *Thornton*, the rules were dispensed with, the bill read a second time, and ordered to a third reading on Monday.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

MONDAY, *October* 31, 1836.

The Senate convened pursuant to adjournment.

Mr. *Smith*, from the committee on enrollments, reported, as correctly enrolled, the following bill, to wit: An act to incorporate the Bank of the State of Arkansas.

Mr. *Ferguson*, from the committee on memorials, to whom had been referred the memorial asking an extension of the pre-emption law to actual settlers on the sixteenth sections, reported the same, without amendment.

Mr. *Izard*, from the joint committee on public buildings, submitted the following report, to wit:

The joint committee to whom was referred the subject of the State-house, as a part of their duties, have had before them the accounts of the several persons with whom his Excellency, John Pope, late Governor of Arkansas, had entered into contract with, for the building of the State-house, and other public buildings, together with a statement of an account rendered by said John Pope, Governor, with the United States; and, upon a careful examination of the same, your committee have been unable to arrive at any thing conclusive relative to the amount received by his Excellency as the proceeds of the sales of the ten sections of land granted by Congress to the Territory of Arkansas, by the act of the 4th of July, 1832. But by the accounts rendered by the agent of the late Governor, and by the Governor himself, there is acknowledged the receipt of $30,961 95, including the interest that subsequently accrued on bonds executed by different individuals for the purchase of portions of said ten sections; and by the same accounts there is shown a total expenditure of $30,980 90, to sundry persons, for materials, work, and labor done on the State-house; of which

The lumber and carpenter's work amount to - -	$6,009 77
The brick and stone work, and digging the foundation of State-house - - - - - - - - -	26,353 98
The tinning of the roof of the centre building, about	1,500 00

These amounts, with other expenditures for freights, labor, materials, and the lot on which the State-house is erected, swell the amount of its costs already to an amount exceeding thirty-five thousand dollars, a part of which yet remains unpaid, and is due to the several individuals with whom contracts were made. Of this number, Mr. Thomas Thorn presents much the largest claim against the State. By virtue of a contract and agreement entered into on the 6th day of April,

1833, between John Pope, Governor, and Thorn & Cook, wherein it is stated that the agreement then entered into was the substance of a contract previously made by Chester Ashley, as agent for said John Pope, with Thomas Thorn, and which had not before that time been reduced to writing, it was agreed, on the part of the said Thorn & Cook, to do all the brick and stone necessary for the completion of the State-house, and to furnish all the materials necessary for said work, for which they were to be paid ten dollars per thousand for all the brick laid in the walls, made near or immediately about the State-house, and one dollar in addition for all brick necessarily made elsewhere; the said brick to be measured in the wall solid measure; they were also to be paid three dollars per perch, for laying the stone foundation, and to be paid a reasonable price for making and putting up column brick or brick of any other than the usual form. At a subsequent period, to wit, on the 7th day of March, 1835, the said John Pope, Governor, entered into another contract with said Thomas Thorn and Steven Cotter, which contract expresses to be the substance of a verbal one entered into with the said Thomas Thorn for the building of a jail in the town of Little Rock, about the period twelve months preceding the date of the written contract then entered into, in which it is agreed between the parties, that the said Thorn & Cotter are to satisfy certain outstanding claims relative to the State-house, which were then presumed to remain against the said John Pope at the date of the agreement then entered into; and it is farther stated, in said agreement, that whereas, the said Stephen Cotter has been engaged in doing the work on the State-house for the last twelve months under a contract with George Weigart, superintendent of public buildings, with the approbation of said Governor Pope, at the price of work in Lexington, Kentucky, with an advance of thirty per cent. on said price; which work was to be continued on by said Cotter until the upper story of said building was in a condition fit to be used, with such other work as he, the said Cotter, might think proper to do, relying on the public faith for indemnity.

In conformity with the foregoing specified contracts, the said Tho's Thorn, owner of the interests of Thorn & Cook, as having complied with that part of the agreement of Thorn & Cook to pay certain outstanding debts against the said John Pope, Governor, for matters relative to the State-house, presents his accounts, amounting to the sum of $2,855 10; of which there is charged for work done on the State-house, and for materials furnished for said building, the sum of $26,353 98, and for advances to settle claims against the State-house, as per agreement, the sum of $2,197 12, and in payment of which he acknowledges to have received the sum of $22,860 98—leaving a balance due him of $5,697 12; and your committee would here observe, that the amounts credited in the accounts of Mr. Thorn, correspond with the charges made against him in the statement of the account rendered by the late Governor Pope, and that the charges made by him for advances, are fully sustained by the vouchers accompany-

ing his accounts current, and they have no just reason to doubt their correctness. The large item for work done on the State-house, your committee have no other means of ascertaining the correctness of, but to resort to a re-measurement of the entire buildings; which labor they do not consider as appertaining to their duties as members of this General Assembly. The statement of Mr. Thorn, is, however, made out at great length, and with such detail, as to render it easy to detect any errors in the calculation, if there should be any. He farther furnishes the certificates of two competent individuals certifying to its accuracy; and if the above statements are correct, there must remain the sum of $5,670 12 due Mr. Thorn. The other accounts before your committee not having been rendered for settlement, nor accompanied with sufficient voucher, were not particularly examined. The whole of which is respectfully submitted to the consideration of the Senate.

On motion of Mr. *Ferguson*, said report was then laid on the table.

Mr. *Ferguson*, from the committee on memorials, to whom had been referred the memorial to Congress praying an extension of the pre-emption law, reported that a similar memorial had passed this General Assembly, and recommended that said memorial be indefinitely postponed.

Whereupon, said report was concurred in.

Mr. *Izard*, from the select committee to whom had been referred the act in aid of titles, reported the same, without amendment.

Mr. *Smith*, from the select committee to whom had been referred the bill, entitled An act to re-locate the county seat of Randolph county, reported the same, with an amendment; which was adopted.

On motion of Mr. *Smith*, said bill was then read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. *Thornton* and Mr. *McCamy*, from the select committee to whom had been referred the bill, to be entitled An act to provide for a permanent system of revenue for the State of Arkansas, each submitted a report, recommending amendments in lieu of the original bill.

Mr. *Thornton* moved that the report submitted by him, as chairman of said committee, be adopted.

Mr. *Ferguson* moved the following, as an amendment, to be added to the first section of said amendment of the committee, to wit: "All lands subject to taxation in this State shall be classed by the assessor into four classes; and the value of the first class shall be twenty dollars; the value of the second class shall be fifteen dollars; the value of the third class shall be ten dollars; and the value of the fourth class shall be five dollars."

On the question of the adoption of this amendment, the ayes and nays were called for, and were as follows, to wit:

Ayes—Messrs. Clark, Ferguson, Hill, Martin, McKean, Ringgold, and Thornton.

Nays—Messrs. Ball, Brown, Izard, Kuykendall, McCamy, McLain, Saunders, Smith, Williamson, and Mr. President.

A majority having voted in the negative, the amendment was rejected.

The question then recurred on the adoption of the original amendment; which was rejected, by a vote of 11 to 6, as follows:

Ayes—Messrs. Clark, Ferguson, Hill, Martin, McKean, and Thornton.

Nays—Messrs. Ball, Brown, Izard, Kuykendall, McCamy, McLain, Ringgold, Saunders, Smith, Williamson, and Mr. President.

Mr. *McCamy* then moved that the amendment recommended in the report submitted by him be now adopted.

Mr. *Ferguson*, moved to amend the amendment, by inserting after the word "dollars," in the 14th line of the 15th section, the words "nor more than twenty-five dollars per acre."

Which was rejected, by a vote of 10 to 7, as follows:

Ayes—Messrs. Clark, Ferguson, Hill, Martin, McKean, Ringgold, and Thornton.

Nays—Messrs. Ball, Brown, Izard, Kuykendall, McCamy, McLain, Smith, Saunders, Williamson, and Mr. President.

Mr. *Ferguson* then moved to amend, by inserting, in the same line and section, the words "nor more than thirty dollars per acre."

Which was adopted, by a vote of 9 to 8, as follows:

Ayes—Messrs. Clark, Ferguson, Hill, Izard, Martin, McKean, Ringgold, Thornton, and Mr. President.

Nays—Messrs. Ball, Brown, Kuykendall, McCamy, McLain, Smith, Saunders, and Williamson.

The question then recurred on the adoption of the amendment reported by Mr. *McCamy*, as amended; which was adopted, by a vote of 13 to 4, as follows:

Ayes—Messrs. Ball, Brown, Hill, Izard, Kuykendall, McCamy, Martin, McLain, Ringgold, Smith, Saunders, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, McKean, and Thornton.

On motion of Mr. *Ferguson*, said bill, as amended, was then read a second time, and referred to the committee of the whole, and made the order of the day for to-morrow.

Mr. *Clark*, from the select committee, to whom had been referred the bill, to be entitled An act authorizing the county court to levy taxes for certain purposes therein specified, reported the same, with amendments, which were rejected.

On motion of Mr. *Clark*, said bill was then re-committed to a select committee, consisting of Messrs. Clark, Ringgold, and Ferguson.

On motion of Mr. *Ferguson*, the bill, to be entitled An act to call in the scrip of Crittenden county, was taken up, and referred to a select committee, consisting of Messrs. Ferguson, Brown, and Izard.

On motion of Mr. *McCamy*, the bill, entitled An act to authorize the Supreme Court to make certain allowances to the clerk of said

court, was now taken up, and referred to a select committee, consisting of Messrs. McCamy, Ferguson, and Williamson.

On motion of Mr. *Ball*, the bill, entitled An act defining the punishment to be inflicted on persons guilty of the crime of maiming, was now taken up, and referred to a select committee, consisting of Messrs. Ball, Brown, and McKean.

On motion of Mr. *Ferguson*, the resolution directing our Senators and Representative in Congress to use their exertions to procure the extension of the Cumberland road from St. Louis, via Jackson, in Lawrence county, and Batesville, to Little Rock; thence to Washington, in Hempstead county; thence to Fulton, on big Red river—was now taken up, together with the proposed amendment to said resolution.

Mr. *McCamy* moved the adoption of the amendment previously offered by him, directing our Senators and Representative in Congress to use their exertions to procure the extension of said road from the seat of government of the State of Missouri, the nearest and most practicable route, to Little Rock; thence to Washington, in Hempstead county; thence to Fulton, on big Red river.

Which amendment was rejected, by a vote of 8 to 6, as follows:

Ayes—Messrs. Ball, Brown, McCamy, Saunders, Williamson, and Mr. President.

Nays—Messrs. Clark, Ferguson, Hill, Izard, Martin, McKean, McLain, Ringgold, and Smith.

Mr. *Thornton* now moved to lay said resolution on the table till the first day of January; which was negatived.

Mr. *McCamy* moved to lay on the table; which was negatived, by a vote of 11 to 4, as follows:

Ayes—Messrs. McCamy, Thornton, Williamson, and Mr. President.

Nays—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, McKean, McLain, Ringgold, Smith, and Saunders.

Mr. *Izard* moved to strike out the words "Jackson, in Lawrence county, Batesville, and Washington, in Hempstead county;" which amendment was adopted.

Mr. *Thornton* moved to fill up the blank occasioned by striking out the words "Washington, in Hempstead county," with the words "Greenville, in Clark county;" which motion was negatived.

Mr. *Brown* now moved to strike out the words "Little Rock;" which was negatived.

Mr. *Brown* then moved to strike out the word "Fulton;" which was negatived.

Mr. *Thornton* moved to postpone the resolution indefinitely; which motion was rejected.

The question then recurred on the adoption of the original resolution, as amended; which was adopted, by a vote of 10 to 4, as follows:

Ayes—Messrs. Ball, Clark, Ferguson, Hill, Izard, McLain, Ringgold, Smith, Saunders, and Williamson.

Nays—Messrs. Brown, McCamy, Thornton, and Mr. President.

A message from the Governor was presented by his private Secreta-

ry, J. J. Clendenin, informing the Senate that he had approved and signed the following bills, to wit:

An act prohibiting certain persons from holding office.

And an act to repeal the twelfth section of an act passed by the present General Assembly, entitled An act for the government and organization of the militia of this State.

Mr. Shell presented a message from the House of Representatives, informing the Senate that the House adhered to their disagreement to the Senate's amendment to the bill, entitled An act regulating the terms and prescribing the powers and duties of the circuit courts of the State of Arkansas, and that Messrs. Royston, Philips, and Reagan, were appointed a committee to confer with any committee that might be appointed in that behalf on the part of the Senate.

Whereupon, on motion of Mr. *Ball*, a similar committee of conference was appointed on the part of the Senate, consisting of Messrs. Ball, Izard, and Hill.

Mr. Roberts presented a message from the House of Representatives, informing the Senate that the House had agreed to the amendments of the Senate to the act to authorize the administrator and administratrix of the estate of William S. Rochester, deceased, to sell real estate.

Mr. Whinnery presented a message from the House of Representatives, informing the Senate that the House had passed a bill, entitled An act concerning attorneys at law, which was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *Ball*, the rules were dispensed with, the bill read a second time, and referred to the committee on the judiciary.

Mr. Blackmore presented a message from the House of Representatives, informing the Senate that the House had passed an act amendatory of an act entitled An act to incorporate the town of Helena, and for other purposes; which was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *McKean*, said bill was then laid on the table.

Mr. *Ferguson*, from the select committee, to whom had been referred the bill, to be entitled An act to call in the scrip of Crittenden county, reported the same, with amendments; which were adopted, and the bill read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Ringgold*, the fourth section of said bill was stricken out.

The bill was then referred to a select committee, consisting of Messrs. Ferguson, Clark, and Ringgold.

Mr. *McCamy*, from the select committee to whom had been referred the act to authorize the Supreme Court to make certain allowances to the clerk of said court, reported the same, with amendments; which were adopted.

On motion of Mr. *McCamy*, said bill was then read a third time, on its final passage, and passed.

The title of the bill was then changed to that of an act more particularly defining the eastern boundary of Madison county.

Mr. *Ball*, from the select committee to whom had been referred the act defining the punishment to be inflicted on persons guilty of the crime of maiming, reported the same, with an amendment; which was adopted.

On motion of Mr. *Ball*, said bill was then read a third time, on its final passage, and passed.

The title of the bill was then changed to an act to authorize the State Treasurer to receive the five per cent. of the nett proceeds of the public lands belonging to the United States lying within the State of Arkansas.

Mr. Whinnery presented a message from the House of Representatives, informing the Senate that the House had adopted a resolution fixing upon Monday, the 31st inst., at 11 o'clock A. M. as the hour for electing President and Directors for the Bank of the State of of Arkansas, and a judge of the sixth judicial circuit.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

TUESDAY, *November* 1*st*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Clark* presented a petition from sundry citizens of Jefferson county, praying a removal of the seat of justice of said county; which was referred to a select committee, consisting of Messrs. Clark, Izard, and Ferguson.

Mr. *Smith*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act to locate the seat of justice of Van Buren county; an act to provide for the protection of religious congregations; an act concerning public roads and highways; an act to regulate the proceedings of the General Assembly in certain cases; and an act to incorporate the town of Fayetteville.

Mr. *Brown*, from the same committee, reported, as correctly enrolled, the following bills, memorial, and resolution, to wit: An act prescribing the mode of confirming titles to lands sold under the laws of this State, and for other purposes; an act supplementary to an act concerning elections; an act to compensate David G. Eller for work and labor done in preparing the State-house for the reception of the present General Assembly; an act for the relief of William Crawford; an act to regulate damages on bills of exchange, drafts, &c.; an act more specifically defining the interest on money, and regulating the recovery thereof; a memorial praying an extension of the pre-emption law to settlers on the sixteenth sections; a memorial asking an appropria-

tion to complete the road from Helena, so as to intersect the United States road from Memphis to Little Rock; and a resolution instructing our Senators and Representative in Congress to use their exertions to procure the passage of a law authorizing the Governor to re-locate such of the seventy-two sections donated for the establishment of a seminary of learning, as he may think proper.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill, entitled An act concerning attorneys at law, reported the same, with an amendment; which was adopted.

Mr. *Hill*, from the select commmittee to whom had been referred the act to authorize the administrator and administratrix of the estate of Bernard Smith, deceased, to sell the negroes and land belonging to said estate, reported the same, with an amendment; which was adopted.

Mr. *Ferguson*, from the select committee to whom had been referred the act to call in the scrip of Crittenden county, and for other purposes, reported the same, with an amendment; which was adopted.

Mr. *Thornton* moved to amend the resolution, from the House of Representatives, fixing upon Monday, the 31st October, at 11 A. M., as the hour for going into the election of President and Directors of the Bank of the State of Arkansas, and branches, and judge of the sixth judicial circuit, by fixing upon 3 o'clock in the afternoon of this day.

Mr. *Ferguson* moved to amend the amendment, by substituting 11 o'clock A. M. to-morrow; which was negatived.

The amendment proposed by Mr. *Thornton*, was then adopted.

Mr. Tidwell presented a message from the House of Representatives, informing the Senate that the House had passed the bill, from the Senate, entitled An act to prevent the practice of carrying concealed weapons, with an amendment; which was therewith returned.

Whereupon, said amendment was read and adopted.

Also, that the House had passed a bill, entitled An act to elect commissioners in the county of Marion; which was read a first time.

On motion of Mr. *Saunders*, said bill was then laid on the table.

Mr. Linton presented a message from the House of Representatives, informing the Senate that the bill, entitled An act to authorize the Governor to have the west wing of the State-house covered, had passed the House with amendments, and was therewith returned for the concurrence of the Senate.

Whereupon, on motion of Mr. *Hill*, said bill and amendments were laid on the table.

Mr. Caldwell presented a message from the House of Representatives, informing the Senate that a bill, entitled An act making appropriations to defray the expenses of the Government for the years therein mentioned, and for other purposes, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *McCamy*, the rules were dispensed with, the

bill read a second time, and referred to the committee on ways and means.

Mr. *Smith* introduced a resolution requiring the public printer to print, for the use of the members of the present General Assembly, five hundred copies, in pamphlet form, of the act to incorporate the Bank of the State of Arkansas; which resolution was adopted, and sent to the House of Representatives for their concurrence.

Mr. *Ball* moved for leave to re-consider his vote fixing upon 3 o'clock in the afternoon of this day, as the hour for going into the election of President and Directors of the Bank of the State of Arkansas, and branches, and a judge for the sixth judicial circuit; which motion was agreed to, and 3 o'clock in the afternoon of to-morrow fixed upon, as the hour of going into said elections.

On motion of Mr. *Smith*, the bill for the introduction of slaves in this State, was now taken up, and amended, by reinstating the second section of said bill.

The bill, as amended, was then read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

Mr. *Ferguson*, from the select committee to whom had been referred the petition of sundry citizens of Jefferson county, asking for a removal of the seat of justice of said county, reported, that they had performed the duties assigned them, and asked to be discharged from any farther consideration of the subject, inasmuch as the time had already elapsed, beyond which, in accordance with a resolution of both houses of the General Assembly, no original bill could be introduced into either house, and the parties were therefore without redress at the present session of the Legislature.

Whereupon, said report was concurred in, and the committee discharged.

Mr. Roberts presented a message from the House of Representatives, informing the Senate that a bill, entitled An act supplementary to the several acts now in force relative to executors and administrators, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time, and ordered to a second reading on to-morrow.

Mr. Royston presented a message from the House of Representatives, informing the Senate that the bill, from the Senate, entitled An act providing for the election of a member of Congress from this State, had passed the House, and was therewith returned; also, that a bill, entitled An act appointing John H. Leech, as one of the commissioners to permanently locate the seat of justice of White county, had passed the House, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *McLain*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *McLain*, the rules were farther dispensed with, the bill read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. Smith presented a message from the House of Representatives, informing the Senate that the House had adopted the amendment of the committee of conference upon the act authorizing the disposition of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State, and had receded from their former amendment; also, that the House had passed a bill, entitled An act to amend the laws now in force concerning actions of ejectment, actions of forcible entry and detainer, and unlawful detainer; which was therewith transmitted for their concurrence.

Whereupon, said bill was read a first time, and ordered to a second reading on to-morrow.

Mr. Alston presented a message from the House of Representatives, informing the Senate that the bill, from the Senate, entitled An act establishing the prices to be paid for printing to be executed by the public printer, had passed the House, and was therewith returned; also, that the bill, from the Senate, entitled An act concerning Territorial scrip, had passed the House, with amendments, and was therewith returned for the concurrence of the Senate.

Whereupon, said amendment was read and disagreed to.

Also, that the House had passed a bill, entitled An act to locate section No. 16, in townships where the same has been appropriated, which was therewith transmitted for the concurrence of the Senate.

Whereupon, said bill was read a first time.

On motion of Mr. *Ferguson*, the rules were dispensed with, the bill read a second time, and referred to a select committee, consisting of Messrs. Ferguson, Clark, and McKean.

On motion of Mr. *Smith*, the bill, entitled An act to authorize John B. Hammond, executor of the estate of Henderson White, deceased, to sell real estate, was now taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

On motion of Mr. *Clark*, the bill, entitled An act to authorize the administrator of Samson Gray, deceased, to sell real estate, was now taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

On motion of Mr. *Izard*, the Senate now resolved itself into a committee of the whole, Mr. *Smith* in the chair, on the bill, entitled An act to provide for a permanent system of revenue for the State of Arkansas; and, after some time spent in the consideration thereof, the committee rose, the President resumed the chair, and Mr. *Smith* reported that the committee had had said bill under consideration, and asked leave to sit again.

Mr. *Ferguson* then moved that the Senate adjourn; which was negatived, by a vote of 10 to 6, as follows:

Ayes—Messrs. Clark, Ferguson, Martin, McKean, McLain, and Saunders.

Nays—Messrs. Ball, Brown, Hill, Izard, McCamy, Ringgold, Smith, Thornton, Williamson, and Mr. President.

On motion, the Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

WEDNESDAY, *November* 2, 1836.

The Senate convened pursuant to adjournment.

Mr. *Brown*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act to provide for the election of a member of Congress from this State; an act establishing the prices to be paid for printing to be executed by the public printer; an act to prevent the practice of carrying concealed weapons; an act providing for holding a special term of the Supreme Court, and other purposes; an act to amend an act entitled an act amendatory of an act now in force for the relief of paupers; an act for selecting salt springs; an act regulating the duties of attorneys for the State; an act to define and establish the boundary lines of Van Buren county; an act concerning constables; an act authorizing the disposition of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State; and an act concerning poor persons.

Mr. *Ferguson*, from the committee on memorials, to whom had been referred the memorial asking an appropriation to open a road from the mouths of Arkansas and White rivers to the Post of Arkansas, thence to Pine Bluff in Jefferson county, reported the same, without amendment.

Mr. *Hill*, from the committee on the militia, to whom had been referred the act supplementary to the laws now in force providing for killing wolves, reported the same, with an amendment.

On motion of Mr. *Ringgold*, the bill and amendment were laid on the table till the first day of January next.

Mr. *Ferguson*, from the select committee to whom had been referred the bill, entitled An act to locate section number sixteen, in townships where the same has been appropriated, reported the same, without amendment.

On motion of Mr. *Ferguson*, said bill was then amended, read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. Philips presented a message from the House of Representatives, informing the Senate that the House had amended the amendment of the Senate to the resolution for the election of President and Directors of the Bank of the State of Arkansas, and judge of the sixth judicial circuit, by fixing upon 10 o'clock P. M., for going into said elections.

Mr. *Ferguson* moved to concur in said amendment; which motion

was negatived, and the amendment disagreed to, and the House of Representatives informed thereof.

A message from the Governor was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed a bill, entitled An act to incorporate the Bank of the State of Arkansas.

Mr. Adams presented a message from the House of Representatives, informing the Senate that the House had receded from their amendment to the Senate's amendment to the resolution fixing upon the hour for going into the election of certain officers therein mentioned; also, that the House had agreed to the amendments of the Senate to the bill, entitled An act to locate section number sixteen in townships where the same has been appropriated.

On motion of Mr. *Izard*, the Senate now resolved itself into a committee of the whole, Mr. *Martin* in the chair, on the bill, entitled An act to provide for a permanent system of revenue for the State of Arkansas; and, after some time spent in the consideration thereof, the committee rose, reported progress, and asked leave to sit again.

The hour previously agreed upon by the two Houses of the General Assembly for going into the election of President and Directors of the Bank of the State of Arkansas, and branches, and of a judge for the sixth judicial circuit, having now arrived, the Senate repaired to the hall of the House of Representatives for the purpose of going into said elections.

For the office of President of the principal bank, at Little Rock, Mr. *Smith*, of the House of Representatives, nominated Terence Farrelly, and Mr. *Byrd* nominated Jacob Brown.

The result of the joint vote of both houses was, for Brown, thirty-four votes, and for Farrelly, twenty-eight votes.

Whereupon, JACOB BROWN, having received a majority of all the votes given, was declared duly elected President of the Bank of the State of Arkansas, for the time prescribed by law.

The Senators who voted for Mr. Brown, were—Messrs. Ball, Brown, Hill, Izard, Kuykendall, McCamy, Martin, Saunders, Thornton, Williamson, and Mr. President.

Those who voted for Mr. Farrelly, were—Messrs. Clark, Ferguson, McKean, McLain, Ringgold, and Smith.

The two houses then went into the election of twelve Directors for the principal bank, at Little Rock.

Whereupon, the following gentlemen were put in nomination, and were voted for by the respective Senators as exhibited in the annexed table:

	James De Baun.	S. M. Rutherford.	Edward Cross.	Wood Tucker.	David Fulton.	John McLain.	Wm. B. Wait.	R. C. Byrd.	D. G. Eller.	William Field.	E. A. More.	Chester Ashley.	Emzy Wilson.	Lorenzo Gibson.	James Pitcher.	W. W. Stevenson.	Wm. C. Howell.
Ball	1	1	1	1		1	1	1	1	1	1	1				1	
Brown	1	1	1	1	1	1	1	1	1	1		1		1			
Clark	1	1	1	1	1	1	1		1	1			1	1	1		
Ferguson	1	1	1	1	1	1	1		1				1	1	1		
Hill	1	1	1	1	1	1	1	1	1	1	1	1					
Izard	1	1	1	1	1	1	1	1	1	1	1					1	
Kuykendall	1	1	1	1	1	1	1	1	1	1	1	1					
McCamy	1	1	1	1		1	1	1	1	1	1	1				1	
Martin	1	1	1	1	1	1	1	1	1	1	1						
McKean	1	1	1	1	1	1	1	1	1	1			1	1	1		
McLain	1	1	1	1	1		1	1	1		1		1	1	1		
Ringgold	1		1	1	1	1	1		1		1		1	1	1		
Saunders	1	1	1	1	1	1	1	1	1	1	1	1					
Smith	1	1	1	1	1	1	1	1	1		1			1	1		
Thornton	1	1	1	1	1		1	1	1	1	1	1					
Williamson	1	1	1	1	1	1	1	1	1	1	1	1				1	
Mr. President	1	1	1	1	1	1		1	1	1	1	1				1	
	17	16	17	17	15	15	16	14	17	13	13	9	5	6	5	5	

The result of the joint vote of both houses was, for De Baun, sixty-three votes; for Rutherford sixty votes; for Cross sixty votes; for Tucker sixty votes; for Fulton sixty votes; for McLain fifty-seven votes; for Wait fifty-four votes; for Byrd fifty-two votes; for Eller fifty votes; for Field forty-eight votes; for More forty-four votes; for Ashley thirty-two votes; for Wilson twenty-eight votes; for Gibson twenty-eight votes; for Pitcher twenty-three votes; for Stevenson twenty-one votes; and for Howell four votes.

Whereupon, James De Baun, Samuel M. Rutherford, Edward Cross, Wood Tucker, David Fulton, John McLain, William B. Wait, Richard C. Byrd, David G. Eller, William Field, Elijah A. More, and Chester Ashley, having received a majority of all the votes given in, were declared duly elected Directors of the Bank of the State of Arkansas, for the time prescribed by law.

The two houses then went into the election for a President of the branch of the Bank of the State of Arkansas at Batesville.

Whereupon, Mr. *Smith*, of the Senate, nominated David W. Lowe for that office.

The result of the joint vote of both houses was, for Lowe, fifty-three votes.

Whereupon, David W. Lowe, having received a majority of all the votes given, was declared duly elected President of the branch of the Bank of the State of Arkansas at Batesville.

The Senators who voted for Mr. Lowe, were—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, McCamy, McKean, McLain, Ringgold, Smith, Saunders, Thornton, Williamson, and Mr. President.

The Senate now repaired to their own chamber, when, on motion, they adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

THURSDAY, *November* 3, 1836.

The Senate convened pursuant to adjournment.

A petition from sundry citizens of Monroe county, praying to be attached to the first judicial circuit, was presented by the President, read, and referred to the committee on the judiciary.

Mr. *Ball*, from the committee of conference appointed to confer with a similar committee appointed by the House of Representatives, on the subject of the disagreement of the House to the Senate's amendment to the bill regulating the terms and prescribing the powers and duties of the circuit courts of the State of Arkansas, submitted a report, which, on motion of Mr. *Ferguson*, was laid on the table.

Mr. May presented a message from the House of Representatives, informing the Senate that the House insisted on their amendment to the bill, to be entitled An act concerning Territorial scrip.

Whereupon, the Senate insisted on their disagreement, and the House were informed thereof.

On motion of Mr. *Ferguson*, the memorial asking an appropriation to open a road from the mouths of Arkansas and White rivers, to the Post of Arkansas, from thence to Pine Bluff, was now taken up, read a third time, and rejected.

On motion of Mr. *Ball*, the orders of the day were now taken up.

The bill, entitled An act directing in what court and manner suits may be commenced by or against the State, was now taken up, read a third time, passed, and sent to the House of Representatives for their concurrence.

The bill, entitled An act to establish county courts, was taken up, read a third time, passed, and was returned to the House of Representatives.

The act to authorize certain creditors of the estate of Samuel Parker, deceased, to authenticate their claims, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The memorial, asking an extension of the pre-emption law to settlers on the sixteenth sections, was taken up, read a third time, on its final passage, passed, and was returned to the House of Representatives.

The bill, entitled An act in aid of titles, was now taken up, read a third time, amended, on motion of Mr. *Ferguson*, by striking out the words "there is," in line 21 of the 1st section, and inserting, in lieu thereof, the words "they have," passed, and was returned to the House of Representatives.

The bill, entitled An act concerning attorneys at law, was taken up, read a third time, amended, on motion of Mr. *Ball*, by striking out the amendment reported from the committee on the judiciary, passed, and was returned to the House of Representatives.

Mr. Royston presented a message from the House of Representatives, informing the Senate that the House had adopted the report of the committee of conference in relation to the disagreement of the House to the Senate's amendment to the bill regulating the terms and prescribing the powers and duties of the circuit courts of the State of

Arkansas; also, that they concurred in the resolution in relation to the extension of the Cumberland road; and in the resolution providing for the printing of five hundred copies of the act to incorporate the Bank of the State of Arkansas; also, that the following bills had passed the House, and were therewith transmitted for the concurrence of the Senate, to wit: An act for the relief of John K. Taylor, sheriff of Pulaski county.

Whereupon, said bill was read a first time, and, on motion of Mr. *Ball*, laid on the table.

Also, an act to regulate the mode of trial before justices of the peace.

Whereupon, said bill was read a first time, and ordered to a second reading on to-morrow.

A message from the House of Representatives, was presented by Mr. May, inviting the Senate into the hall of the House of Representatives, for the purpose of finishing the elections begun on yesterday.

Whereupon, on motion of Mr. *Ferguson*, the Senate repaired forthwith to the Representatives' hall, for the purpose aforesaid.

It appearing that a mistake had occurred in the election of Directors of the Bank of the State of Arkansas, on yesterday, whereby Chester Ashley had been declared elected a Director, when, in fact, he had not received a majority of all the votes given, the two houses now proceeded to an election to fill said vacancy.

Whereupon, Mr. *Byrd* nominated Chester Ashley, and Mr. *Williamson*, of the House of Representatives, nominated William Cummins, as candidates for said office.

The result of the joint vote of both houses was, for Ashley twenty-seven votes, and for Cummins twenty-seven votes.

The Senators who voted for Mr. Ashley, were—Messrs. Ball, Brown, Hill, Kuykendall, McCamy, Saunders, Thornton, Williamson, and Mr. President.

Those who voted for Mr. Cummins, were—Messrs. Clark, Ferguson, McKean, McLain, Ringgold, and Smith.

No person having received a majority of all the votes given, the two houses now proceeded to a second trial.

In addition to the persons already in nomination, Mr. *Culp* nominated W. W. Stevenson.

The result of the joint vote of both houses was, for Ashley thirty-one votes; for Cummins twenty-seven votes; and for Stevenson one vote.

Whereupon, CHESTER ASHLEY, having received a majority of all the votes given, was declared duly elected a Director of the Bank of the State of Arkansas, for the time prescribed by law.

The Senators voting as before, and Mr. Izard voting for Chester Ashley.

The two houses now proceeded to the election of nine Directors for the branch of the Bank of the State of Arkansas, at Batesville.

Whereupon, the following named gentlemen were put in nomination, to wit: Messrs. J. Anthony, John Robinson, ——— Tucker, J.

W. Lyon, Ambrose Chriswell, Robert Smith, C. F. More, Jacob Wolf, C. H. Pelham, J. H. Egner, D. J. Chapman, Lawson Henderson, John Miller, William More, and William Black.

The result of the joint vote of both houses, and the votes of the respective Senators, are exhibited in the annexed table, as follows:

	Lawson Henderson.	*John Miller.*	*Robert Smith.*	*William More.*	*C. H. Pelham.*	*D. J. Chapman.*	*J. H. Egner.*	*Joseph Anthony.*	*John Robinson.*	*Ambrose Chriswell.*	*Jacob Wolf.*	*C. F. More.*	*——— Tucker.*	*J. W. Lyon.*	*William Black.*
Ball		1	1	1	1	1	1	1	1	1					
Brown	1	1	1	1	1		1	1	1					1	
Clark	1	1	1	1	1	1	1				1	1			
Ferguson	1	1	1	1	1	1	1				1	1			
Hill	1	1	1	1	1	1		1	1				1		
Izard	1	1	1	1	1		1	1	1					1	
Kuykendall		1	1	1		1	1	1	1	1		1			
McCamy		1	1	1	1	1	1	1	1	1					
Martin															
McKean	1	1	1	1	1	1	1				1	1			
McLain	1	1	1	1	1	1	1				1	1			
Ringgold	1	1	1	1	1	1	1				1	1			
Saunders		1	1	1	1		1	1	1	1			1		
Smith	1	1		1	1	1	1	1		1	1				
Thornton		1	1	1	1	1		1	1	1			1		
Williamson	1	1	1	1		1	1	1	1						1
Mr. President	1	1	1	1	1	1	1	1	1						
Vote of the Senate	11	16	15	16	14	13	14	11	10	6	6	6	3	2	1
Vote of the H. of Rep's	22	37	37	36	34	34	27	24	20	19	14	14	14	1	1
Result of the joint vote	33	53	52	52	48	47	41	35	30	25	20	20	17	3	2

Whereupon, John Miller, Robert Smith, William More, Charles H. Pelham, Daniel J. Chapman, Joseph H. Egner, Joseph Anthony, Lawson Henderson, and John Robinson, having each received a majority of all the votes given, were declared duly elected Directors of the branch of the Bank of the State of Arkansas, at Batesville, for the time prescribed by law.

The two houses then proceeded to elect a President for the branch at Fayetteville, when Mr. *Ferguson* nominated James McKisick, and Mr. *Noland* nominated Jacob Wythe Walker.

The result of the joint vote of both houses was, for McKisick thirty-seven votes, and for Walker six votes.

Whereupon, JAMES MCKISICK, having received a majority of all the votes given, was declared duly elected President of the branch of the Bank of the State of Arkansas, at Fayetteville, for the time prescribed by law.

The Senators who voted for Mr. McKisick, were—Messrs. Ball, Ferguson, Hill, Kuykendall, McCamy, McKean, McLain, Smith, Saunders, Thornton, and Mr. President.

Those who voted for Walker, were—Messrs. Clark and Ringgold.

The two houses then proceeded to the election of nine Directors for the branch bank at Fayetteville, when the following named gentlemen were put in nomination: W. T. Larremore, Lodowick Brodie, James Byrnside, William Skelton, Maurice Wright, John Henry, Alfred Wallace, Philemon Williams, and Alfred Henderson.

The result of the joint vote of both houses was, for Larremore thirty-seven votes; for Brodie thirty-six votes; for Byrnside thirty-six votes; for Skelton thirty-seven votes; for Wallace thirty-seven votes; for Wright thirty-six votes; for Henry thirty-seven votes; for Williams thirty-seven votes; and for Henderson thirty-seven votes.

Whereupon, W. T. Larremore, Lodowick Brodie, James Byrnside William Skelton, Alfred Wallace, Maurice Wright, John Henry, Alfred Henderson, and Philemon Williams, having received a majority of all the votes given, were declared duly elected Directors of the branch of the Bank of the State of Arkansas, at Fayetteville, for the time prescribed by law.

The following Senators voted for each of the persons nominated for Directors, the others not voting, viz: Messrs. Ball, Clark, Ferguson, Hill, Kuykendall, McCamy, Saunders, Thornton, and Mr. President.

The two houses then proceeded to the election of a judge for the sixth judicial circuit; when Mr. *Culp* nominated Grandison D. Royston, as a candidate for said office.

The result of the joint vote of both houses was, for Royston thirty-nine votes.

Whereupon, GRANDISON D. ROYSTON, having received a majority of all the votes given, was declared duly elected judge of the sixth judicial circuit, for the time prescribed by the constitution.

The Senators who voted for Mr. Royston, were—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, Kuykendall, McCamy, McLain, Saunders, Thornton, and Mr. President.

The Senate then repaired to the Senate chamber, when, on motion, they adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

FRIDAY, *November* 4, 1836.

The Senate convened pursuant to adjournment.

Mr. *Ball* presented the petition of George Richards, guardian of Elizabeth Mayers and Peter Mayers; which was read and referred to a select committee, consisting of Messrs. Ball, Hill, and Thornton.

Mr. *Smith*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act authorizing John B. Hammond, executor of the estate of Henderson White, deceased,

to sell real estate; an act appointing John H. Leech, as one of the commissioners to permanently locate the seat of justice of White county; an act defining the boundaries of Union county; an act to relocate the county seat of Randolph county; and an act prescribing the mode of disposing of real estate belonging to the estate of deceased persons.

Mr. *Clark*, from the committee on ways and means, to whom had been referred the bill, entitled An act making appropriations to defray the expenses of the government for the years therein mentioned, and for other purposes, reported the same, with an amendment, which was adopted.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the petition of sundry citizens of Monroe county, praying to be attached to the first judicial circuit, reported that it was inexpedient, at this time, to grant the prayer of the petitioners.

Whereupon, said report was concurred in.

Mr. *McKean* moved for leave to re-consider his vote rejecting the memorial to Congress, asking an appropriation to open a road from the mouths of Arkansas and White rivers to the Post of Arkansas, thence to Pine Bluff; which motion was agreed to.

Whereupon, said memorial was taken up, passed, and returned to the House of Representatives.

On motion of Mr. *Ball*, the report of the committee of conference in relation to the disagreement of the House of Representatives to the Senate's amendment to the bill regulating the terms and prescribing the powers and duties of the circuit courts of the State of Arkansas, was now taken up, when, on motion of Mr. *Ringgold*, said report was non-concurred in, and the committee instructed to hold another conference in relation to the same subject, with the committee appointed by the House of Representatives.

Mr. *McCamy* introduced a resolution fixing upon Monday next, the 7th instant, as the day upon which both houses of the present General Assembly should adjourn *sine die*, and requiring the Governor to be informed thereof.

Mr. *McKean* moved to lay said resolution on the table; which motion was negatived.

Mr. *Ferguson* moved to amend, by inserting, in lieu of Monday, "Thursday next;" which was negatived.

Mr. *McKean* then moved to amend, by substituting, instead of Monday, "Tuesday next;" which amendment was also rejected.

The question then recurred on the adoption of the resolution; which was adopted, and sent to the House of Representatives for their concurrence.

A message from the Governor was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed the following bills, to wit:

An act providing for holding a special term of the Supreme Court, and other purposes.

An act to provide for the protection of religious congregations.

An act to incorporate the Town of Fayetteville.

An act concerning poor persons.

An act to amend an act entitled an act amendatory of an act now in force for the relief of paupers.

An act for selecting salt springs.

An act to define and establish the boundary lines of Van Buren county.

An act providing for the election of a member of Congress from this State.

An act concerning constables.

An act establishing the prices to be paid for printing to be executed by the public printer.

And an act authorizing the disposition of the five sections of land granted by the Congress of the United States to the State of Arkansas, for the purpose of completing the public buildings commenced in said State.

On motion of Mr. *Ferguson*, the Senate now resolved itself into a committee of the whole, Mr. *Williamson* in the chair, on the bill, entitled An act to provide for a permanent system of revenue for the State of Arkansas; the committee rose, the President resumed the chair, and Mr. *Williamson* reported that the committee had had said bill under consideration, and asked leave to report the same, with amendments.

Mr. *Ringgold* moved that the Senate disagree to the amendments made in committee of the whole, to the first section of the bill; which motion was agreed to, and the amendments rejected, by a vote of 9 to 8, as follows:

Ayes—Messrs. Ball, Brown, Kuykendall, McCamy, McLain, Ringgold, Smith, Saunders, and Williamson.

Nays—Messrs. Clark, Ferguson, Hill, Izard, Martin, McKean, Thornton, and Mr. President.

Mr. *Ringgold* now moved that the Senate disagree to the amendment adopted by the committee of the whole in lieu of the third section of the bill; which motion was agreed to, and the amendment rejected, by a vote of 9 to 8, as follows:

Ayes—Messrs. Ball, Brown, Kuykendall, McCamy, McLain, Ringgold, Smith, Saunders, and Williamson.

Nays—Messrs. Clark, Ferguson, Hill, Izard, Martin, McKean, Thornton, and Mr. President.

Mr. *Ball* moved that the Senate concur in the amendment of the committee to the second proviso of the fifth section of the bill, striking out the word "thirty," in the maximum value fixed upon lands; which motion of Mr. *Ball* was agreed to, and the amendment concurred in by a vote of 9 to 8, as follows:

Ayes—Messrs. Ball, Brown, Kuykendall, McCamy, McLain, Saunders, Smith, Thornton, and Mr. President.

Nays—Messrs. Clark, Ferguson, Hill, Izard, Martin, McKean, Ringgold, and Williamson.

Mr. *McKean* now moved to fill up the blank occasioned by striking out the word "thirty," with the word "fifteen;" which motion was negatived.

Mr. *Ferguson* moved to fill up said blank with "twenty;" which was negatived.

Mr. *McKean* then moved to fill up the blank with "twenty-five;" which was also negatived.

On motion of Mr. *Ferguson*, said bill was then laid on the table till to-morrow.

Mr. *Ball*, from the committee of conference appointed to confer with a similar committee on the part of the House of Representatives, in relation to the disagreement of the House to the Senate's amendment to the bill regulating the terms and prescribing the powers and duties of the circuit courts of the State of Arkansas, reported that the House of Representatives recede from their disagreement to the Senate's amendment.

Whereupon, said report was concurred in.

On motion of Mr. *Ferguson*, the act amendatory of an act entitled an act to incorporate the town of Helena, and for other purposes, was now taken up, and, on motion of Mr. *Martin*, referred to a select committee, consisting of Messrs. Martin, Ferguson, and Clark.

On motion of Mr. *Ferguson*, the orders of the day were now taken up.

The bill, entitled An act supplementary to the several acts now in force relative to executors and administrators, was now taken up, read a third time, and, on motion of Mr. *Ball*, laid on the table till the first day of January.

An act to regulate the mode of trial before Justices of the Peace, was now taken up, and, on motion of Mr. *Clark*, laid on the table till the 4th day of July.

The act to call in the scrip of Crittenden county, and for other purposes, was now taken up, and, on motion of Mr. *Ball*, amended, by filling up the blank in the fourth section with the words "fifty cents." The bill was then read a third time, passed, and sent to the House of Representatives for their concurrence.

The act to amend the laws now in force concerning actions of ejectment, actions of forcible entry and detainer, and unlawful detainer, was now taken up, amended, on motion of Mr. *Ball*, by striking out all after the enacting clause, and referred to a select committee, consisting of Messrs. McKean, Ferguson, and Ball.

The act to authorize the administrator and administratrix of the estate of Bernard Smith, deceased, to sell the negroes and land belonging to said estate, was now taken up.

Mr. *Ferguson* moved to strike out the the first section of the bill; which motion was negatived.

On motion of Mr. *Hill*, the second section was then stricken out.

The bill was then read a third time, on its final passage, and was passed.

The title of the bill was then changed to An act fixing the compensation of the appraisers for the Real Estate Bank; and sent to the House of Representatives for their concurrence.

A message was presented from the House of Representatives, informing the Senate that the House had receded from their amendment to the act concerning Territorial scrip. Also, that the House had amended the amendment of the Senate to the act to establish county courts; which was therewith transmitted for the concurrence of the Senate.

Whereupon, said amendment was read and concurred in.

Also, that they had passed the act to define the boundaries of Saline county.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

SATURDAY, *November* 5, 1836.

The Senate convened pursuant to adjournment.

Mr. *Brown*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act to authorize certain creditors of the estate of Samuel Parker, deceased, to authenticate their claims; an act authorizing the administrator of Samson Gray, deceased, to sell real property; an act to authorize the State Treasurer to receive the five per cent. of the nett proceeds of public lands belonging to the United States lying within the State of Arkansas; an act to locate section numbered sixteen, in townships where the same has been appropriated; a memorial to Congress asking an appropriation to open a road from the mouths of Arkansas and White rivers, to the Post of Arkansas, thence to Pine Bluff, in Jefferson county; a memorial to Congress asking an extension of the pre-emption laws to settlers on the sixteenth sections; an act concerning attorneys at law; an act to define the boundary lines of Saline county; and an act concerning Territorial scrip.

Mr. *McKean*, from the select committee, to whom had been referred the bill, entitled An act to amend the laws now in force concerning actions of ejectment, actions of forcible entry and detainer, and unlawful detainer, reported the same, with an amendment, which was adopted.

On motion of Mr. *McKean*, the bill was then read a third time, on its final passage, and passed.

The title of the bill was then changed to An act providing for the building of a jail in Sevier county, and was returned to the House of Representatives for their concurrence.

Mr. *Ball*, from the select committee, to whom had been referred the petition of George Richards, guardian of certain orphans, reported unfavorably to the prayer of the petitioner.

Mr. *Martin*, from the select committee, to whom had been referred the bill, entitled An act amendatory of an act entitled an act to incorporate the town of Helena, and for other purposes, reported the same, with amendments; which were adopted.

Mr. *McLain* moved to lay said bill on the table till 1st January; which was negatived.

On motion of Mr. *Ball*, said bill was then read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. *Ferguson*, from the committee on memorials, reported the memorial to Congress, asking an appropriation to open a road from the seat of government of Missouri, and passing through Marion county, to Little Rock, without amendment.

On motion of Mr. *Saunders*, said memorial was then read a third time, on its final passage, passed, and was sent to the House of Representatives for their concurrence.

On motion of Mr. *Hill*, the bill, entitled An act to provide for assessing and collecting taxes, was now taken up, and referred to a select committee, consisting of Messrs. Hill, Izard, and Ringgold.

A message from the Governor was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed a bill, entitled An act concerning public roads and highways.

A message from the House of Representatives, was presented by Mr. Adams, informing the Senate that the House concurred in the second report of the committee of conference in relation to the disagreement of the House to the Senate's amendment to the bill regulating the terms and prescribing the powers and duties of the circuit courts of the State of Arkansas, and that the House had receded from their disagreement. Also, that the bill, entitled An act to call in the scrip of Crittenden county, and for other purposes, had passed the House, and was therewith returned to the Senate; also, that the House agreed to the amendments of the Senate to the bill, entitled An act amendatory of an act entitled an act to incorporate the town of Helena, and for other purposes, and to the bill, entitled An act providing for the building of a jail in Sevier county; also, that the bills, entitled An act fixing the compensation of the appraisers for the Real Estate Bank, and the act directing in what courts and manner suits may be commenced by or against the State, had both passed the House, with amendments, and were therewith returned for the concurrence of the Senate.

Mr. *Ball*, from the committee of conference appointed to confer with a similar committee appointed on the part of the House of Representatives in relation to the disagreement of the House to the Senate's amendment to the act to authorize a change of venue in criminal cases, reported that they had performed the duties assigned them, and agreed to recommend that the House of Representatives recede from their disagreement to the amendment of the Senate.

Whereupon, said report of the committee was concurred in.

Mr. *Hill*, from the select committee, to whom had been referred the bill, entitled An act to provide for assessing and collecting taxes, reported the same, with an amendment; which was adopted.

On motion of Mr. *Ferguson*, said bill, as amended, was then again referred to a select committee, consisting of Messrs. Ferguson, Izard, and Ringgold.

Mr. *Clark*, from the select committee to whom had been referred the bill, entitled An act to authorize the county court to levy a tax for certain purposes therein specified, reported the same, with an amendment; which was adopted.

On motion of Mr. *Izard*, the act to provide for a permanent system of revenue for the State of Arkansas, was now taken up.

Mr. *Izard* offered an amendment in lieu of the whole bill; which was adopted by a vote of 13 to 4, as follows:

Ayes—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, Kuykendall, Martin, McKean, McLain, Thornton, Williamson, and Mr. President.

Nays—Messrs. McCamy, Ringgold, Smith, and Saunders.

Mr. *Ferguson* offered the following, in lieu of the first section of the bill: "That there shall be levied and collected, as a state tax, a tax of one-fourth of one per cent. on each and every hundred dollars of the value of all lands owned in this State, by title derived from the United States or otherwise, whether a patent has been issued for the same, or not; but no lands shall be valued at a less price than three dollars per acre, nor shall improvements made upon lands be taken into estimation in the valuation of the same; and on each hundred dollars of the value of all lots in cities, towns, or villages, together with the improvements thereon; and on each hundred dollars of the value of all other property of every kind and description whatever, owned or possessed in this State, except productions of agriculture and articles manufactured in this State; and there shall be levied and collected, as a State tax, a tax of dollars on all hawkers and peddlers of merchandize, for the privilege of hawking and peddling throughout the State for the term of three months."

On the question of the adoption of the foregoing amendment, the ayes and nays were called for, and the amendment rejected, by a vote of 11 to 6, as follows:

Ayes—Messrs. Clark, Ferguson, McCamy, McKean, Ringgold, and Saunders.

Nays—Messrs. Ball, Brown, Hill, Izard, Kuykendall, Martin, McLain, Smith, Thornton, Williamson, and Mr. President.

Mr. *McCamy* then moved to amend, by striking out that part of the bill which fixes the minimum valuation of lands at three dollars per acre; which motion was rejected by a vote of fifteen to two, as follows:

Ayes—Messrs. Kuykendall and McCamy.

Nays—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, Martin, McKean, McLain, Ringgold, Smith, Saunders, Thornton, Williamson, and Mr. President.

Mr. *McKean* then moved to amend, by providing that no lands shall be valued at a greater price than thirty dollars per acre; which motion was negatived, by a vote of 12 to 5, as follows:

Ayes—Messrs. Clark, Ferguson, Martin, McKean, and Ringgold.

Nays—Messrs. Ball, Brown, Hill, Izard, Kuykendall, McCamy, McLain, Smith, Saunders, Thornton, Williamson, and Mr. President.

Mr. *McKean* then moved to amend, by striking out all that part of the bill which requires the local situation and convenience to market of lands, to be taken into consideration in the estimation of the value of the same; which motion was rejected, by a vote of 11 to 6, as follows:

Ayes—Messrs. Clark, Ferguson, Martin, McKean, Ringgold, and Thornton.

Nays—Messrs. Ball, Brown, Hill, Izard, Kuykendall, McCamy, McLain, Smith, Saunders, Williamson, and Mr. President.

Mr. *Izard* now moved that the bill be read a third time, on its final passage.

Mr. *Ringgold* objected, that, inasmuch as the bill had been amended, by striking out all after the enacting clause, and inserting, in lieu thereof, a substitute, that the bill, as amended, should go through three different readings. The chair decided that the bill was now on its third reading. From this decision, Mr. *Ferguson* took an appeal to the Senate, when the decision of the chair was sustained.

Whereupon, said bill was read a third time, on its final passage, and passed, by a vote of 12 to 5, as follows:

Ayes—Messrs. Ball, Brown, Clark, Ferguson, Hill, Izard, Kuykendall, Martin, McKean, McLain, Williamson, and Mr. President.

Nays—Messrs. McCamy, Ringgold, Smith, Saunders, and Thornton.

On motion of Mr. *Smith*, the bill making appropriations to defray the expenses of the government for the years therein mentioned, was now taken up.

Mr. *Ball* moved the following amendment; which was adopted, to wit: Insert after the word "department," in the 12th line, the following, to wit: "The Supreme Court, the offices of the Auditor and Treasurer."

Mr. *Ferguson* moved the following amendment, which was rejected, to wit: "For the payment of Samuel M. Hays, as per account rendered, the sum of one hundred and thirty-six dollars.

Mr. *Ferguson* then moved to increase the appropriation for the payment of the account of William E. Woodruff, from $197 $\frac{10}{100}$, to $230 $\frac{35}{100}$.

Mr. *Ringgold* moved the following, as an amendment to the amendment, to wit: "That the further sum of thirty-three dollars and twenty-five cents, be allowed William E. Woodruff for penknives furnished the Senate and House of Representatives; which motion was rejected, by a vote of 7 to 4, as follows:

Ayes—Messrs. Ball, Brown, Clark, and Ferguson.

Nays—Messrs. Hill, Izard, McCamy, McLain, Ringgold, Smith, and Thornton.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary.*

MONDAY, *November* 7, 1836.

The Senate convened pursuant to adjournment.

Mr. *Brown*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act in aid of titles; an act amendatory of an act, entitled An act to incorporate the town of Helena; an act providing for the building of a jail in Sevier county; an act to establish county courts; an act regulating the terms and prescribing the powers of the circuit courts of the State of Arkansas; an act to provide for a permanent system of revenue for the State of Arkansas; an act to call in the scrip of Crittenden county, and for other purposes; and an act to define the boundaries of Arkansas county; also, a resolution requiring the public printer to print, in pamphlet form, five hundred copies of the act to incorporate the Bank of the State of Arkansas, for the use of the members of the present General Assembly; and a resolution requesting our Senators and Representative in Congress to use their exertions to procure the extension of the Cumberland national road from St. Louis to Little Rock, thence to Fulton, on Red river.

Mr. *Ferguson*, from the committee on counties and county lines, to whom was referred the petition of sundry citizens of Arkansas county, praying to be attached to the county of Jefferson, reported that it was inexpedient to legislate upon the subject at this time, and asked to be discharged from the farther consideration of the subject.

Whereupon, the report was concurred in, and the committee discharged.

Mr. *McKean*, from the select committee, to whom was referred that part of the Governor's message, which relates to the erection of a penitentiary, reported that they deemed it premature at this time to legislate upon that subject; and therefore asked to be discharged from any farther consideration of the subject.

Whereupon, said report was concurred in, and the committee discharged.

Mr. *Ferguson*, from the committee on memorials, to whom had been referred the memorial to Congress, asking an appropriation to open a road from Van Buren, to Fulton, on Red river, and the memorial asking an appropriation to repair the road from Little Rock to Fort Smith, reported unfavorably to their passage, and recommended their indefinite postponement.

Whereupon, the report was concurred in, and said memorials indefinitely postponed.

Mr. *Ball*, from the committee on the judiciary, to whom had been referred the bill to abolish imprisonment for debt, and other purposes,

reported that it was inexpedient, at this time, to legislate upon the subject, and recommended that said bill be indefinitely postponed.

Whereupon, said report was concurred in.

Mr. *Ferguson*, from the committee on memorials, to whom had been referred the memorial to Congress, asking for a cession of the refuse lands within the State, reported the same, without amendment.

On motion of Mr. *Ferguson*, said memorial was then read a third time, on its final passage, passed, and was returned to the House of Representatives.

Mr. *McCamy* introduced a resolution requiring the President of the Senate, and Speaker of the House of Representatives, to adjourn their respective Houses on to-morrow, *sine die;* which resolution was adopted, and sent to the House of Representatives for their concurrence.

Mr. *Ball* introduced the following resolution, which was adopted, to wit:

Resolved, That the Secretary of State be required, as soon as practicable, to have published, in the newspaper of the public printer, the following entitled acts, passed by the present General Assembly, to wit: An act regulating the terms and prescribing the powers of the circuit courts of the State of Arkansas; an act establishing county courts; and an act to provide for a permanent system of revenue for the State of Arkansas; and he shall receive the same fees for printing the above acts as is allowed for printing the laws of the United States, in the newspapers.

The following message from the Governor, was presented by his private Secretary, J. J. Clendenin, to wit:

Executive Office, Little Rock, Nov. 7th.

GENTLEMEN OF THE SENATE—I regret that a sense of duty compels me to return, with my objections, to the Senate, the body in which it originated, the act entitled An act to prevent the practice of carrying concealed weapons. My objections to its passage, are these: That I believe the proviso contained therein, which says, "That nothing in this act shall be so construed as to deprive the citizen of any of the privileges which are allowed by the constitution of the United States or of this State," renders the act a nullity; for the clause of the constitution of this State, which says, "That the free white men of this State shall have a right to keep and bear arms for their common defence," seems to me to allow the citizens the very privilege which is designed by this act to deprive them of. I therefore believe the only way to prevent the *abuse* of that privilege is for a well regulated society to frown on, and give no countenance to, citizens who abuse it.

J. S. CONWAY.

The vote was then taken on the passage of said bill, as follows:

Ayes—Messrs. Ball, Izard, Kuykendall, McCamy, McLain, Saunders, Thornton, and Mr. President.

Nays—Messrs. Brown, Clark, Ferguson, Hill, Martin, McKean, and Ringgold.

A constitutional majority having failed to vote for the passage of the bill, it was rejected.

A message was presented by Mr. Philips, from the House of Representatives, informing the Senate that the House had adopted the resolution fixing upon 12 o'clock, this day, as the hour for going into an election of a judge for the sixth judicial circuit, to fill the vacancy occasioned by the refusal of G. D. Royston to accept of said office.

Whereupon, said resolution was concurred in.

Mr. *Ferguson*, from the select committee, to whom had been referred the bill to provide for assessing and collecting taxes, reported the same, with an amendment; which was adopted.

On motion of Mr. *Ferguson*, said bill was then read a third time, and passed.

The title of the bill was then changed to an act to provide for the sale of the seminary lands, and was sent to the House of Representatives for their concurrence.

A message from the Governor was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed the following bills, to wit:

An act concerning Territorial scrip.

An act to define the boundary line of Saline county.

An act to authorize the State Treasurer to receive the five per cent. of the nett proceeds of the public lands belonging to the United States lying in the State of Arkansas.

An act to call in the scrip of Crittenden county, and for other purposes.

A resolution providing for the publication, in pamphlet form, of 500 copies of the charter of the Bank of Arkansas.

And a resolution instructing our Senators and Representative in Congress to use their exertions to procure the passage of a law for the continuation of the Cumberland road to Little Rock.

On motion of Mr. *Clark*, the Senate now went into the consideration of executive business.

The nominations of Sam C. Roane and Wm. McK. Ball, to revise and digest the laws under the provisions of the act passed by the present General Assembly, entitled An act providing for the revision of the laws of the State of Arkansas, approved October 26th, 1836, were severally confirmed by the Senate.

The nominations of James Logan and Samuel W. Reyburn, to select salt springs for the State of Arkansas, under the provisions of the acts of Congress and of the present General Assembly for that purpose, were severally confirmed by the Senate.

The nominations of the following gentlemen to the office of Notary Public, for the respective counties, were severally confirmed by the Senate, to wit: For the county of Washington, John Cureton; for the county of Benton, Alexander H. McKisick; for the county of Madison, David Picket; for the county of Scott, Milus T. Scott; for the county of Johnson, Joseph Stewart; for the county of Pope, Thomas Russell; for the county of Conway, D. D. Mason; for the county of Carroll,

Hiram Davis; for the county of Marion, William Wood; for the county of Izard, Robert Livingston; for the county of Independence, Henry Hynson; for the county of Crawford, Robert S. Gibson; for the county of Jackson, William Null; for the county of Lawrence, Benjamin F. Payne; for the county of Randolph, James Martin; for the county of White, James K. Walker; for the county of Pulaski, Jesse Brown; for the county of Saline, Joshua Smith; for the county of Hot Spring, Lawson Runyon; for the county of Clark, James Sloan; for the county of St. Francis, William Allen; for the county of Pike, Rice Stringer; the county of Hempstead, Simon T. Saunders; for the county of Miller, James Johnson; for the county of Sevier, A. Caldwell; for the county of Lafayette, Jesse Douglass; for the county of Union, Charles Smith; for the county of Arkansas, Carey Cox; for the county of Jefferson, James Scull, jun.; for the county of Monroe, David Ewing; for the county of Phillips, Thomas B. Hanly; for the county of Green, Lawrence Thompson; for the county of Crittenden, Alexander Ferguson; for the county of Mississippi, Claibourne Wilkinson; for the county of Chicot, John H. Cheek; and for the county of Van Buren, Daniel Griggs.

On motion of Mr. *Ferguson*, the injunction of secrecy in regard to executive business, was now removed.

On motion of Mr. *Izard*, the bill making appropriations to defray the expenses of government for the years therein mentioned, was now taken up, and, on motion of Mr. *Ferguson*, the amendment submitted by him, on yesterday, was adopted.

Mr. *Clark* moved the following additional appropriations, which were adopted, to wit: "For the payment of the Registers of the Land-offices for furnishing the Auditor with lists of land entered, sold, and located, at their respective Land-offices; and to pay the Auditor for furnishing the Sheriffs with lists of lands to be assessed for taxation, - - - - - - - - - - $2,000 00

To pay the Auditor for stationery heretofore furnished for the use of his office, - - - - - - - - 32 00

To pay the electors of President and Vice President, - 200 00

To John McElhany, as per account filed, the farther sum of 5 64

To David Fulton, as per account filed, the sum of - - 18 00

To W. E. Woodruff, the farther sum of - - - 6 21

The bill, as amended, was then read a third time, on its final passage, passed, and was returned to the House of Representatives.

The hour fixed upon by both houses for going into the election of a judge for the sixth judicial circuit, having now arrived, the Senate repaired to the hall of the House of Representatives, for the purpose of going into said election.

Mr. *Thompson* nominated Allen M. Oakley, as a candidate for said office; and the result of the joint vote of both houses was, for Oakley forty-nine votes.

Whereupon, ALLEN M. OAKLEY, having received a majority of all the votes given, was declared duly elected judge of the sixth judicial circuit, for the time prescribed by the constitution.

The Senators who voted for Oakley, were—Messrs. Brown, Clark, Ferguson, Izard, Kuykendall, McCamy, McKean, McLain, Ringgold, Smith, Saunders, Thornton, and Mr. President.

The Senate then returned to their chamber.

Mr. Blackmore presented a message from the House of Representatives, informing the Senate that the House had passed the bill, entitled An act fixing the compensation of the appraisers for the Real Estate Bank, with an amendment, and was therewith transmitted for the concurrence of the Senate.

Whereupon, said amendment was read and concurred in.

Also, that they had passed the bill, directing in what courts and manner suits shall be commenced by or against the State, with an amendment.

Whereupon, said amendment was read and concurred in.

Also, that they had passed the memorial to Congress, asking an appropriation to open a road from the seat of government of Missouri to Little Rock; which was therewith returned. Also, that they had passed a bill the better to define the lines between the counties of Jackson and Independence, and for other purposes; which was read a first time.

On motion of Mr. *Ringgold*, the rules were dispensed with, and the bill read a second time.

On motion of Mr. *Ringgold*, the bill was then amended, by striking out all after the second section, by a vote of 9 to 7, as follows:

Ayes—Messrs. Brown, Clark, Ferguson, Izard, Martin, McKean, McLain, Ringgold, and Smith,

Nays—Messrs. Ball, Hill, Kuykendall, McCamy, Saunders, Thornton, and Mr. President.

On motion of Mr. *McCamy*, the bill was then amended, by adding an additional section, defining the western boundary of Carroll county; and, on motion of Mr. *Thornton*, by providing that all that part of the State lying between the counties of Union and Clark, and included in neither, should be attached to the county of Clark.

On motion of Mr. *Ringgold*, the rules were now farther dispensed with, the bill read a third time, passed, and was returned to the House of Representatives.

On motion of Mr. *Clark*, the bill authorizing the county court to levy a tax for certain purposes therein specified, was now taken up, and read a second time.

On motion of Mr. *Clark*, the rules were dispensed with, the bill read a third time, passed, and was sent to the House of Representatives for their concurrence.

Mr. *Brown* introduced a resolution, which was adopted, authorizing the Governor to permit Sam C. Roane and William McK. Ball to use such books in the executive office, and the office of the Secretary of State, as may be necessary to them in the discharge of their duties as revisers of the laws of the State.

Mr. *McCamy* introduced a resolution, which was adopted, providing for the raising of a joint committee to wait on the Governor, and ob-

tain from him, all memorials which have been passed by the present General Assembly, and deliver them to William S. Fulton, Senator in Congress, and request his special attention thereto.

Whereupon, Messrs. McCamy, Ferguson, and Saunders, were appointed said committee on the part of the Senate, and the House requested to concur in said resolution.

Mr. *Ferguson* introduced a resolution, authorizing the Governor to select a site upon which to build a jail for the county of Pulaski; which was adopted and sent to the House for their concurrence.

Mr. *Thornton* introduced a resolution authorizing the Governor to arrange and adjust the accounts between Thomas Thorn, and the State of Arkansas, and report the result at the next session of the legislature; which was adopted, and sent to the House for their concurrence.

Mr. May presented a message from the House of Representatives, informing the Senate that the House had adopted the amendments of the Senate to the appropriation bill, (excepting the amendment to the appropriation to pay W. E. Woodruff, with an amendment, to which the concurrence of the Senate was asked.

Whereupon, said amendment was read and adopted.

On motion of Mr. *Ferguson*, the Senate now insisted on their amendment, and a committee of conference, consisting of Messrs. Ferguson, Smith, and Brown, was appointed to confer with any committee that might be appointed by the House in relation to said subject.

A message from the House of Representatives, was presented by Mr. Culp, informing the Senate that the House had passed the bill from the Senate to authorize the county court to levy a tax for certain purposes therein specified. Also, that they had agreed to the Senate's amendments to the bill the better to define the lines between the counties of Independence and Jackson, and for other purposes, with an amendment, striking out all that part of the amendment of the Senate which relates to the boundaries of Carroll county.

Whereupon, said amendment was concurred in.

Mr. *Thornton* introduced the following resolution; which was adopted, to wit:

Resolved, That the Secretary of the Senate hand over to the Secretary of State, the keys of the Senate chamber, together with all furniture and stationery therein, and take his receipt for the same, and hand it to the President of the Senate.

On motion of Mr. *Thornton*, the resolution from the House in relation to the printing and distributing of the acts and journals of the present legislature, was now taken up, and amended, on motion of Mr. *Ferguson*, by providing that 500 copies of the acts, and 200 copies of the journals, should be printed.

A message from the House of Representatives, was presented by Mr. Pelham, informing the Senate that the House had concurred in the amendment of the Senate to the resolution for printing the acts and journals. Also, that the House had adopted a resolution fixing upon this day at 11 o'clock P. M., or earlier, as the hour of adjourn-

ing *sine die*, and appointing a committee to inform the Governor of the adoption of said resolution.

Whereupon, on motion of Mr. *Ball*, said resolution was amended, by striking out "at 11 o'clock P. M., this day," and inserting "on to-morrow," and Messrs. Ringgold, McKean, and Kuykendall, were appointed the committee on behalf of the Senate.

Mr. *Ferguson*, from the committee appointed to confer with a similar committee on the part of the House of Representatives in relation to the disagreement of the House to the Senate's amendment to the bill making appropriations to defray the expenses of the government for the years therein mentioned, reported, that they had agreed to recommend that the Senate recede from their amendment; whereupon said report was concurred in.

On motion of Mr. *Ferguson*, the bill entitled An act for the relief of John K. Taylor, sheriff of Pulaski county, was now taken up, and read a second time.

Mr. *McCamy* then moved that said bill be laid on the table till the first day of January; which motion was agreed to by a vote of 8 to 6, as follows:

Ayes—Messrs. Ball, Brown, Hill, Kuykendall, McCamy, McLain, Thornton, and Mr. President.

Nays—Messrs. Clark, Ferguson, Morton, McKean, Ringgold, and Saunders.

On motion of Mr. *Ferguson*, the act to authorize the Governor to have the west wing of the State-house covered, was now taken up, and the amendments of the House of Representatives to said bill adopted.

Mr. *Shell* presented a message from the House of Representatives, informing the Senate that the Speaker of the House had written the word "satisfied," upon all the vouchers and warrants examined by the committee appointed to examine the Auditor's and Treasurer's books, and had deposited them with the Auditor of public accounts; also that they had adopted the report of the committee of conference in relation to the disagreement between the two houses, concerning the Senate's amendment to the bill making appropriations to defray the expenses of the government for the years therein mentioned; also, that they concurred in the resolution from the Senate, granting the use of certain books to Sam C. Roane and William McK. Ball; also, that they had adopted the resolution of the Senate, requiring certain acts of the present General Assembly to be printed in the newspaper of the public printer, with an amendment, requiring the decisions of the supreme court also to be printed.

Whereupon, said amendment was read, and disagreed to.

The Senate then adjourned.

SAM C. ROANE.

AND'W J. GREER, *Secretary*.

TUESDAY, *November 8th*, 1836.

The Senate convened pursuant to adjournment.

Mr. *Smith*, from the committee on enrollments, reported, as correctly enrolled, the following bills, to wit: An act the better to define the lines between the counties of Independence and Jackson, and for other purposes; a memorial to the Congress of the United States, for the passage of an act appropriating a sum of money to open a road from Little Rock to the seat of goverment of Missouri; a memorial to the Congress of the United States, asking the granting of the refuse lands of the United States to the State of Arkansas; a resolution authorizing the Governor to select a site for a jail; an act to authorize the county courts to levy a tax for certain purposes therein specified; an act to authorize the Governor to have the west wing of the State-house covered; a resolution authorizing the Governor to furnish Sam C. Roane and William McK. Ball any books in the executive office; an act directing in what courts and manner suits may be commenced by and against the State, and for other purposes; an act making appropriations to defray the expenses of the government for the years therein mentioned, and for other purposes; an act fixing compensation for appraisers of the Real Estate Bank; a resolution directing the public printer to have printed five hundred copies of the acts of the present General Assembly; a resolution directing the Secretary of State to have published, in the different newspapers, the acts therein mentioned.

Mr. *Royston* presented a message from the House of Representatives, informing the Senate that the House had laid upon the table, until the first day of January, the bill to authorize a change of venue in criminal cases, together with the report of the committee of conference in relation to said bill; also, that they had receded from their amendment to the resolution providing for the publication, in the newspaper of the public printer, of certain acts passed by the present General Assembly; also, that they had agreed to the resolution of the Senate fixing upon to-day at 11 o'clock A. M., as the hour for the adjournment of both houses, *sine die*.

A message from the Governor was presented by his private Secretary, J. J. Clendenin, informing the Senate that he had approved and signed the following bills, memorials, and resolutions, to wit: An act to authorize the county court to levy a tax for certain purposes therein specified; an act to authorize the Governor to have the west wing of the State-house covered; an act directing in what courts and manner suits may be commenced by or against the State; a resolution authorizing the Governor to furnish Messrs. Roane and Ball with books from the executive office; a resolution requiring the Governor to select a site for Pulaski county jail; and a memorial to Congress, asking an appropriation to open a road from the seat of government of Missouri to Little Rock.

Mr. *Ferguson* offered the following resolution, which was adopted, to wit:

Resolved, That the thanks of the Senate are due to the Hon. Sam C.

Roane, for the very able, impartial, and dignified manner in which he has discharged the duties of Presidentof this body during the present session of this General Assembly.

Mr. *Ball* offered the following resolution, which was adopted, to wit:

Resolved, That Andrew J. Greer, Secretary, and James Scull, jun., assistant Secretary, merit the entire approbation of the Senate for the faithful discharge of their respective duties.

The House were now informed that the Senate, having no farther business to transact, were ready to adjourn *sine die*.

On motion of Mr. *McCamy*, the Senate then adjourned *sine die*.

SAM C. ROANE, *President of the Senate*.